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SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

Staff Report - Time Extension

San Luis Obispo County Department of Planning and Building

DATE: DECEMBER 8, 2005

TO: PLANNING COMMISSION

FROM: HOLLY PHIPPS, PLANNER I

SUBJECT: THIRD TIME EXTENSION FOR BILLIG DEVELOPMENT
PLAN; D010021D

ATTACHMENTS:

1. Exhibit A – Findings
2. 3rd time extension – Letter of Correspondence from Charles Englehart (Agent)
3. Planning Commission resolution No. 2001-122, conditions of approval dated December 13, 2001

SUMMARY:

The applicant is requesting a third-time extension of a Development Plan (D010021D); a request to construct an 110,551 square foot, 192 bed medical facility. The facility will provide four types of patient care: assisted living, skilled nursing, sub-acute care & Alzheimers care.

The project is in the Office/Professional land use category and is located in Templeton on Las Tablas Road, directly across from the Twin Cities Hospital, ½ miles west of Highway 101 in the Salinas River Planning Area.

RECOMMENDATION:

Approve the third time extension to be valid until December 13, 2006 for this Development Plan Permit based on findings in Exhibit A that carry over the original findings and conditions as amended by resolution, and attached to this staff report.

DISCUSSION:

The Board of Supervisors approved Development Plan (D010021D) on December 13, 2001. The first and second one-year time extensions were authorized by the Planning Director and extended the life of the permit to December 13, 2005. The applicant submitted a request for this third and

final one-year extension on July 16, 2005 (pursuant to the Land Use Ordinance Section 22.64.070). If substantial site work has not occurred by the end of third extension, the use permit will become void.

Section 22.64.070 specifies that the Planning Commission may grant a third one-year time extension if the following three findings can be made:

1. That substantial site work could not be completed as set forth in Section 22.64.080 because of the circumstances beyond the control of the applicant.

The applicant has stated that the project has not started due to the circumstances beyond his control. The reason for the delay of the project as stated by the applicant is that the required financing has not been finalized.

2. That the original findings justifying the first two extensions can still be made:
 - a. There have been no changes to provisions of the Land Use Element applicable to the project since the approval of the land use permit.
 - b. There have been no changes in the character of the site or its surroundings that affect how the standards of the Land Use Ordinance apply to the project.
 - c. There have been no changes to the capacities of community resources, including but not limited to water supply, sewage treatment or disposal facilities, roads, or schools such that there is no longer sufficient remaining capacity to serve the project.

Staff recommends these findings can be made at this time. There have been no changes to the Land Use Element applicable to the project since its approval as no amendments to the Land Use Ordinance or Land Use Element have been approved since the time of the original project approval that would affect this project. The character of the site and its surroundings has not changed how the ordinance standards would be applied. There has not been a change in the services such that there is no longer sufficient remaining capacity to serve the project.

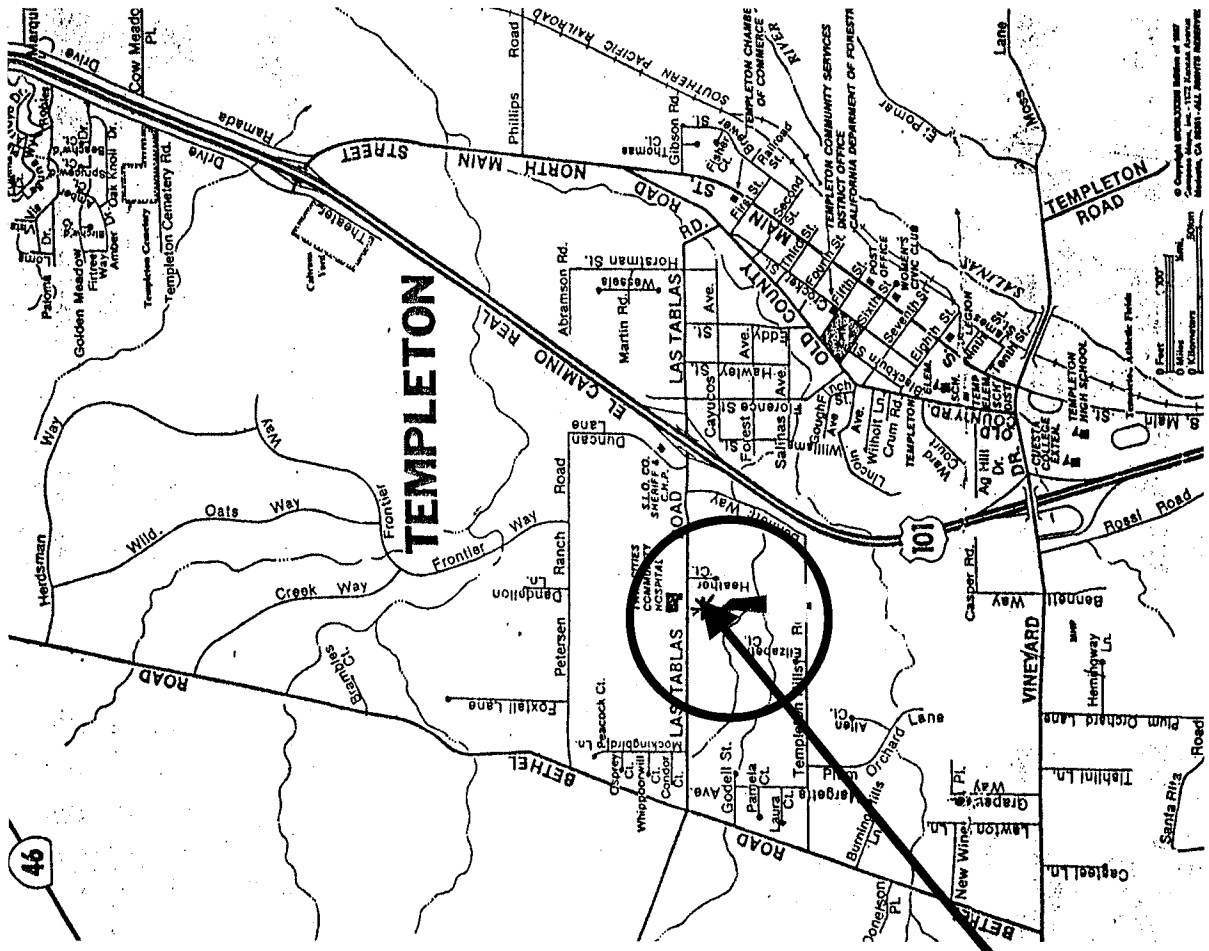
3. That the original findings used to justify the initial approval of this permit can still be made pursuant to the Land Use Ordinance.

Staff feels these original permit findings can still be made. These findings are outlined in the attached findings from the Planning Commission's resolution dated December 13, 2001.

FINDINGS

- A. That substantial site work could not be completed as set forth in Section 22.64.080 because of the circumstances beyond the control of the applicant because the required financing has not been finalized.
- B. That the original findings justifying the first two extensions can still be made:
 - 1. There have been no changes to provisions of the Land Use Element applicable to the project since the approval of the land use permit because no amendments to the Land Use Ordinance or Land Use Element have been approved since the time of the original project approval that would affect this project.
 - 2. There have been no changes in the character of the site or its surroundings that affect how the standards of the Land Use Ordinance apply to the project because the character of the site and its surroundings has not changed.
 - 3. There have been no changes to the capacities of community resources, including but not limited to water supply, sewage treatment or disposal facilities, roads, or schools such that there is no longer sufficient remaining capacity to serve the project because sufficient remaining capacity exists to serve the project
- C. That the original findings as attached to the adopted Planning Commission resolution that were used to justify the initial approval of this permit can still be made pursuant to the Land Use Ordinance.

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SITE

PROJECT

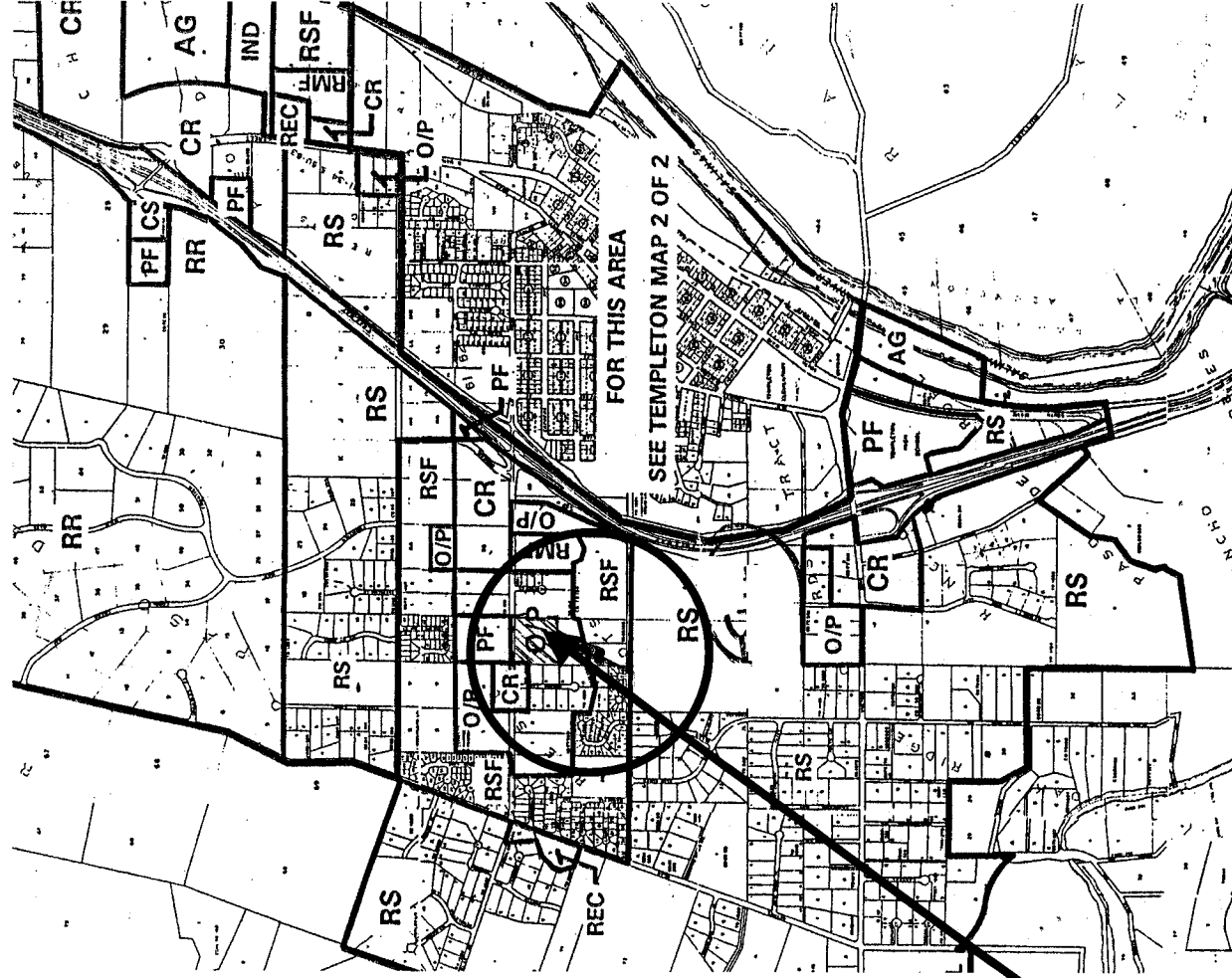
Development Plan
Billig D010021D

EXHIBIT

Vicinity Map



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SITE

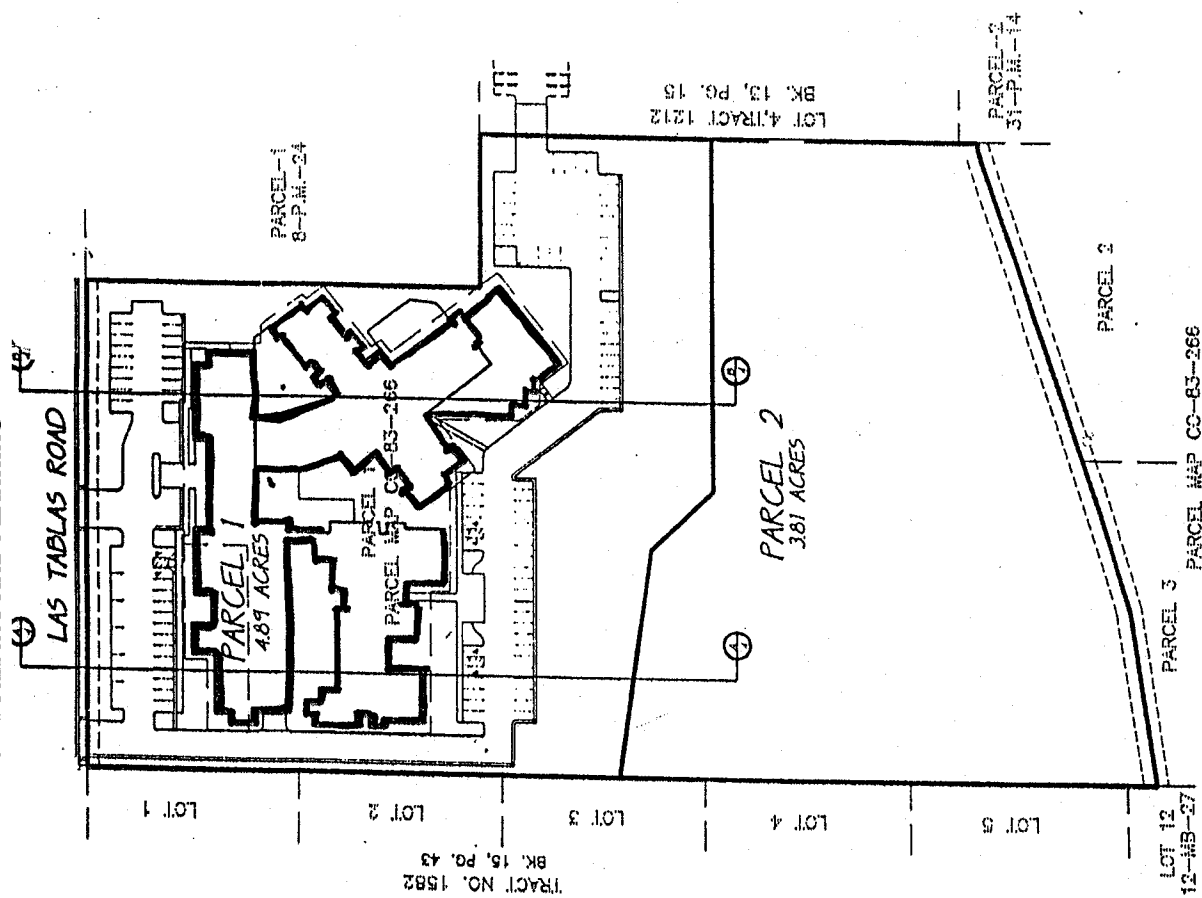
PROJECT

Development Plan
Billig D010021D

EXHIBIT

Land Use Category





PROJECT

Development Plan
Billig D010021D



EXHIBIT

Site Plan



SITE

PROJECT

Development Plan
Billig D010021D



EXHIBIT

Aerial

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MEMORANDUM

DATE: DECEMBER 8, 2005

TO: PLANNING COMMISSION

FROM: HOLLY PHIPPS, PLANNER I

SUBJECT: THIRD TIME EXTENSION FOR BILLIG DEVELOPMENT
PLAN; D010021D

ATTACHMENTS: 1. 3rd TIME EXTENSION – LETTER OF CORRESPONDENCE FROM CHARLES
ENGLEHART (AGENT)

SUMMARY:

The reason for the delay of the project as stated by the applicant is that the required financing has not been finalized. The attached letter will provide additional information and detail as to why the project financing has not been finalized and why a 3rd-Time Extension is required.

Enclosed: Letter from Charles W. Englehart with four pages of attachments.

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Charles W. Englehart, Architect

8636 Anderson Ave. Marshall VA 20
P.O. Box 328, Marshall, VA 20116
Ph. 540-364-4198 Fax 540-364-4267
E-mail: cwenglehart@aol.com

TO HOLLY PHIPPS 805 781 1242

FROM CHARLIE ENGLEHART

RE DR BILLIE

PLEASE SUBSTITUTE THIS LETTER
FOR THE ONE I SENT BY U.P.S.
I DID NOT REALIZE THE NUMBER
OF MISTAKES

4-10
Charles W. Englehart
Architect

8636 Anderson Avenue/ P.O. Box 328
Marshall, VA 20116
Ph 540-364-4198 Fax 540-364-4267
E-Mail: cwenlehart@aol.com

November 28, 2005

San Luis Obispo County
Department of Planning and Building
County Department Center
San Luis Obispo, California 93408

Attn: Holly Phipps
Planner, North County Geographic Team

Re: County File No. D010021D

Dear Holly:

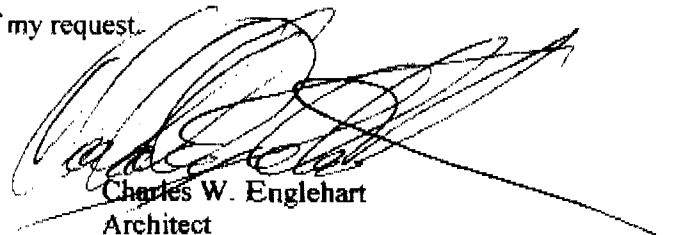
This letter is a follow up to my letter of September 20, 2005 answering your question as to why site work had not begun. My answer is that Doctor Billig was awaiting financing. Doctor Billig is now finishing the paper work for financing through Love Funding Corporation, Washington, DC, with a HUD loan guarantee. Laura Saull-Smith, Senior Vice President is processing the loan. All parties involved will be meeting at the HUD office in Los Angeles on January 19, 2006 to submit the formal HUD application. Laura Saul-Smith has been to the Los Angeles HUD office for an informal review and all conditions are positive.

As you know, over the last few years, the Las Tablas Road area has become a concentrated area. Doctor Billig's facility will complete the medical needs not supplied by the hospital expansion, the present medical facilities or the ones currently under construction.

During the time Doctor Billig has been acquiring financing, he has purchased the land, paid the Templeton Community Service District \$530,571.00 for water and sewer units (see letter from William Orden, Templeton Community Service District General Manager). During the past year, Doctor Billig has obtained approval from the Army Corps of Engineers for work shown on approved site plan for straightening the drainage ditch at the rear of the property. Doctor Billig has invested over \$1,000,000.00 in this project. Since financing is available, and so that work can begin within the site plan approval extension time, he has paid my initial fee and I have started work on the final contract drawings. I propose to submit these to OSHPD in June 2006 and am requesting a 50% review by OSHPD in March of 2006.

I thank you in advance for your consideration of my request.




Charles W. Englehart
Architect

Sep 28 04 08:14a

Jeff Oloerding

408-448-2010

p.2

SEP 28 2004 3:06PM

U S ARMY CORPS/ENGIN

VO 228 2 2



DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
333 MARKET STREET
SAN FRANCISCO, CALIFORNIA 94102-2107

REPLY TO

SEP 28 2004

Regulatory Branch

SUBJECT: File Number 22356-15

Dr. Harvey Billig III
P.O. Box 1414
Carmel, California 93291

Dear Dr. Billig:

This letter is in reference to your submittal dated August 2004, received in our office on August 31, 2004, requesting Department of the Army authorization permanently fill 0.138 acres of jurisdictional tributary waters and fringe wetlands with 225 cubic yards of fill. The project will construct a medical facility and includes (1) replacement of approximately 25 feet of open channel with two 36-inch culverts, (2) installation of a rock riprap energy dissipater at the base of the culvert extension, (3) placement of fill into the existing channel to accommodate development activities and (4) installation of an outfall structure on the channel at the southeastern corner of the property. The unnamed tributary to Toad Creek will be relocated to the southern edge of the project site. The project is located at 1050 Las Tablas Road in Templeton, San Luis Obispo County, California (APN CO-83-266).

Based on a review of the information you submitted, your project qualifies for authorization under Department of the Army Nationwide Permit 39 for Residential, Commercial, and Institutional Developments and 7 for Outfall Structures and Maintenance (67 Fed. Reg. 2020, January 15, 2002), pursuant to Section 404 of the Clean Water Act (33 U.S.C. Section 1344). See Enclosure 1. All work shall be completed in accordance with the plans and drawings titled *Grading Plan for Templeton Medical Facility Located on Las Tablas Road* and revised on August 5, 2004.

The project must be in compliance with the General Conditions cited in Enclosure 2 for this Nationwide Permit authorization to remain valid. Upon completion of the project and all associated mitigation requirements, you shall sign and return the Certification of Compliance, Enclosure 3, verifying that you have complied with the terms and conditions of the permit. Non-compliance with any condition could result in the revocation, suspension or modification of the authorization for your project, thereby requiring you to obtain an individual permit from the Corps. This Nationwide Permit authorization does not obviate the need to obtain other State or local approvals required by law.

This authorization will remain valid for two years from the date of this letter unless the Nationwide Permit is modified, suspended or revoked. If you have commenced work or are under contract to commence work prior to the suspension, or revocation of the Nationwide

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TEMPLETON COMMUNITY SERVICES DISTRICT

BOARD OF DIRECTORS

John T. Cannon, President
Robert Bergman, Vice-President
David Brooks, Director
Judy Dietz, Director
Kevin Hunt, Director

**STAFF**

William Van Orden, General Manager
Laurie A. Ion, Administrative &
Recreation Supervisor
Jay Short, Utilities Supervisor
Greg O'Sullivan, Fire Chief

P.O. Box 780 • 420 Crocker Street • Templeton, California 93465 • FAX (805) 434-4820 • (805) 434-4900

July 11, 2005

Dr. Harvey Billig
P.O. Box 1414
Carmel, CA 93921

RE: CONDITIONAL Will Serve Commitment for Water and Sewer Service to San Luis Obispo County, APN# 040-280-056, Templeton, CA

- 1) WATER & SEWER LINES & INFRASTRUCTURE ARE NOT COMPLETED
- 2) PARK & FIRE FACILITIES FEES ARE DUE PRIOR TO THE ISSUANCE OF A BUILDING PERMIT BY SLO COUNTY

Dear Dr. Billig:

Pursuant to your completed application for water and sewer service for the above-described Assessors Parcel Number, the Templeton Community Services District hereby provides you with a will serve commitment for 53 water units for such premises and 54 sewer units. This will serve commitment is subject to the provisions of District Ordinance No. 93-7, as it may be amended from time to time; a District approved water supply and development agreement with the developer; and other District ordinances, rules and regulations concerning water service, as such may be amended from time to time.

The District reserves the right to review all plans and each tenant improvement made on the proposed project(s) with respect to water and sewer allocation. If the water and/or sewer service increases dramatically, the District reserves the right to reassess the service and you may be required to participate in a retrofit program at your expense and then purchase the additional water and/or sewer units deemed necessary.

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This will serve commitment obligates the District to provide water and sewer service to the above premises to the extent that water and sewer service applications for such premises propose no more units of use than are stated above. The will serve commitment is not transferable to any other property. Requests for refunds of hook-up fees are subject to the provisions of Ordinances 93-7, as such may be amended from time to time.

At the time that you apply for actual water and sewer service from the District, you will be subject to District ordinances, rules and regulations governing such applications and connections to the District's system and the District approved water supply and development agreement. Water and sewer will be available for the above-described property upon your construction and installation of water and sewer lines and other necessary appurtenances, as may be required, as well as, the installation of the necessary infrastructure.

Water and sewer service is not immediately available for the above-described property, as the developer has not tied into the District's main lines (see above).

Water and sewer connection fees have been paid in full.

The Park Facilities Fees and Fire Department Capital Facilities User Charges have not been paid in full. These fees will be due prior to the issuance of a building permit by the County of San Luis Obispo.

A mainline extension agreement and deposit will be required prior to the review of plans for any future project.

*No Self-Regenerating Water Softener Exchange Units may be utilized on site per District Ordinance No. 7-2002. This ordinance prohibits the discharge of saline wastewater from nonresidential sources to the District's sewer system.

If you have any questions regarding this information, please call my office at (805) 434-4900.

Sincerely,



William Van Orden, General Manager

WGV:lat

Units acquired through retrofit,
relinquishments & 2005 H2O allocation

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Laura Saul-Smith

Senior Vice President - Senior Loan Originator



**LOVE FUNDING
CORPORATION**

1250 Connecticut Ave., NW, Ste. 550
Washington, DC 20036

lsaul@lovetesting.com
202.887.8475 ext. 1017
202.887.5286 fax
202.422.9694 cell

www.lovetesting.com

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RECEIVED

SEP 26 2005

Planning & Bldg

8636 Anderson Ave. Marshall VA 201
P.O. Box 328, Marshall, VA 20116
Ph. 540-364-4198 Fax 540-364-4267
E-mail: cwenglehart@aol.com

Date 20 September 2005
San Luis Obispo County
Department of Planning and Building
County Government Center
San Luis Obispo, California 93408
Attn: Holly Phipps
Planner - North County Geographic Team

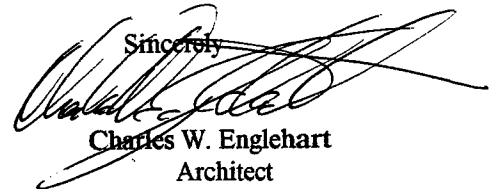
Re: D010021D Billig Development Plan

Dear Holly:

In reply to your letter of September 14, 2005, the reason that site work on the subject property has not begun is that Doctor Billig is awaiting financing. He is currently in discussions with several lenders and expects to complete financing within the next month.

Thank you for your consideration of Doctor Billig's request for extension.

Sincerely,



Charles W. Englehart
Architect

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PLANNING COMMISSION
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Thursday, December 13, 2001

PRESENT: Commissioners Cynthia Boche, Wayne Cooper, Eugene Mehlschau, Bob Ross,
Chairman Doreen Liberto-Blanch

ABSENT: None

RESOLUTION NO. 2001-122
RESOLUTION RELATIVE TO THE GRANTING
OF A DEVELOPMENT PLAN

WHEREAS, The County Planning Commission of the County of San Luis Obispo, State of California, did, on the 13th day of December, 2001, grant a Development Plan to HARVEY BILLIG to allow construction of an approximately 110,551 square foot, 192 bed medical facility. The facility will provide four types of patient care; assisted living, skilled nursing, sub-acute care, and Alzheimers care, in the Office and Professional Land Use Category. The property is located in the county on Las Tablas Road, directly across from Twin Cities Hospital, ½ mile west of Highway 101, in the Salinas River Planning Area, APN: 040-280-056, in the Salinas River Planning Area. County File Number: D010021D.

WHEREAS, The Planning Commission, after considering the facts relating to such application, approves this Permit subject to the Findings listed in Exhibit A.

WHEREAS, The Planning Commission, after considering the facts relating to such application, approves this Permit subject to the Conditions listed in Exhibit B.

NOW, THEREFORE, BE IT RESOLVED, That the Planning Commission of the County of San Luis Obispo, State of California, in a regular meeting assembled on the 13th day of December, 2001, does hereby grant the aforesaid Permit No. D010021D.

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If the use authorized by this Permit approval has not been established or if substantial work on the property towards the establishment of the use is not in progress after a period of twenty-four (24) months from the date of this approval or such other time period as may be designated through conditions of approval of this Permit, this approval shall expire and become void unless an extension of time has been granted pursuant to the provisions of Section 22.02.050 of the Land Use Ordinance.

If the use authorized by this Permit approval, once established, is or has been unused, abandoned, discontinued, or has ceased for a period of six months (6) or conditions have not been complied with, such Permit approval shall become void.

On motion of Commissioner Roos, seconded by Commissioner Cooper, and the following roll call vote, to-wit:

AYES: Commissioners Roos, Cooper, Boche, Mehlschau, Chairman Liberto-Blanck

NOES: None

ABSENT: None

the foregoing resolution is hereby adopted.

Doreen Liberto Blanck
Chairman of the Planning Commission

ATTEST:

Diana Tuglo
Secretary, Planning Commission

EXHIBIT A
Findings - D010021D

- A. As conditioned the proposed project or use is consistent with the San Luis Obispo County General Plan because the uses are allowed pursuant to Table O of the Land Use Element and are consistent with all other General Plan policies.
- B. As conditioned, the project or use satisfies all applicable provisions of Title 22 of the San Luis Obispo County Code.
- C. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied to this particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to properties or improvements in the vicinity of the use because the project will be developed and operated in conformance with county approved building permits, grading permits, and in conformance with this development plan permit.
- D. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the proposed project is a medical facility within an area of established medical offices and a community hospital, and because the project design conforms to the criteria of the Templeton Community Design Plan.
- E. The proposed project will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the site has direct access onto Las Tablas Road, which is capable of handling the traffic generated by this use.
- F. That the Planning Commission considered and relied on the previously adopted Negative Declaration which is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previous Negative Declaration, no substantial changes occur with respect to the circumstance under which the project is undertaken, and no new information of substantial importance has been identified which was not known at the time that the previous Negative Declaration was adopted.

Height Exception Finding

- G. The modification of the 35 foot height limit (Office/Professional Category) to allow a 40 foot height above ANG for the rear three story structure and a 50 foot height above ANG for the bell tower is justified because the structures are either centrally located or located at the downhill rear portion of the building so as not to detract from the enjoyment or value of either the surrounding commercial buildings or the uphill residences to the south, and because the Templeton Fire Department supports the height exception with the understanding that the buildings will be sprinklered.

EXHIBIT B
Conditions of Approval - D010021D

Authorized Use

1. This approval authorizes the construction of a medical facility of approximately 110,000 s.f. in size, providing approximately 192 in-patient beds, and providing Nursing & Personal Care services (i.e., sub-acute care, assisted living, skilled nursing, and Alzheimer care).
2. Site development and use shall be consistent with the approved project site plan & elevation drawings.

Construction Permits

3. Prior to the issuance of construction permits, obtain Planning Department approval of the following:
 - a. A grading permit and also a drainage plan (blue-line swale crossing). See also Condition No. 13 below regarding Dept. of Fish & Game and Army Corps. of Engineers approval of work in the blue-line swale area. See Condition No. 19 below regarding dust control.
 - b. Curb/gutter/sidewalk plans. Said plans will require an encroachment permit from the County Public Works Dept.
 - c. A project sign plan (maximum 100 s.f. of identity signs, plus traffic directional signs).
 - d. Building plans that include non-glare windows & roofing. See also Condition No. 17 below.
 - e. Low intensity outdoor lighting plan. See also Condition No. 18 below.
 - f. Fire sprinklered building plans acceptable to Templeton Fire Department.
 - g. Bike parking, conveniently located near building entrances for public and employees, at a ratio of one bike space/10 auto spaces.
 - h. Pedestrian crossing of Las Tablas Road, if approved by the Department of Public Works. This requirement may include either the installation of a new crossing or enhancement of the existing east of the site, as determined appropriate by Public Works.
4. Prior to issuance of a construction or grading permits, obtain from adjacent property owners the authorization to encroach over lot lines ("right of entry") where necessary, such as for:
 - a. Along east lot line, where neighboring retaining walls may be removed.
 - b. Along west lot line, where fill slope may cover the lot line.

Landscape Plans

5. **Prior to issuance of construction or grading permits, obtain Planning Department approval of complete landscape planing and irrigation construction drawings, pursuant to Land Use Ordinance Section 22.04.180 et. seq. Said plans to incorporate the following Templeton Design Plan Standards:**
- V.E.1. - Decorative rural, low water landscape in 20 front setback area.
 - V.E.9 - Parking lot landscape with dense tree cover.
 - V.E.13 - 3' high berm in 20' front setback area.

Environmental Mitigations - Riparian Vegetation

6. **Prior to issuance of construction or grading permits, the applicant shall retain a qualified biologist to locate the western extent of the willow riparian. The section of creek to the east of this location (including the entire willow riparian) shall be surveyed by a licensed surveyor in consultation with the biologist. The surveyed section of the creek shall be identified on the final site plan map, at the time of application for construction or grading permits.**
7. **Prior to issuance of construction or grading permits, the applicant shall submit a site plan that includes a creek corridor that averages approximately 100 feet wide. The purpose of the corridor is to maintain the integrity of the creek. Some portions of the corridor may be slightly narrower than 100 feet if it does not degrade wildlife values and other portions of the corridor are proportionally wider than 100 feet. Except for landscaping with native vegetation, no development shall be allowed within this corridor. Minor exceptions to this limitation may be allowed as approved by the Environmental Coordinator and may include passive use improvements such as picnic tables or benches.**
8. **Prior to issuance of construction or grading permits, the applicant shall submit a restoration/revegetation plan, prepared by a biologist with experience in restoration biology, for review and approval by the Environmental Coordinator. The goal of the restoration plan is to enhance the biological values of the creek corridor. The restoration/revegetation plan shall provide for the following:**
- a. Identification of all proposed creek alterations, including vegetation removal.
 - b. Revegetation of all cut and fill slopes, and graded areas. Native species that occur on the site shall be used.
 - c. Revegetation of all disturbed portions of the stream so as to restore them to as near as their original condition as possible. **In addition, an area equal to the riparian disturbed by the applicant shall be revegetated and enhanced.** Revegetation efforts shall be limited to the use of native plant species of the Toad Creek drainage.
 - d. Type and amount of plant materials.

December 13, 2001

- c. Schedule for planting activities.
 - f. Performance criteria.
9. **Prior to issuance of construction or grading permits, the applicants shall retain an individual, approved by the Environmental Coordinator, to act as Environmental Monitor during all creek relocation and restoration work. The monitor shall be involved in all future work on the site associated with implementation of creek relocation and restoration mitigation plans.**
10. **Prior to issuance of construction or grading permits, the Environmental Monitor shall prepare a specific mitigation monitoring plan to be reviewed and approved by the Environmental Coordinator that includes:**
- a. Duties and responsibilities of the monitor.
 - b. Estimated timing of proposed activities.
 - c. Personnel involved in specific monitoring.
 - d. Dispute resolution procedures.
 - e. Methods used to monitor activities.
 - f. Criteria for evaluation.
 - g. Timing of reports to be submitted to the Department of Planning and Building, Environmental Division.
11. **During implementation the creek restoration/revegetation plan, the applicant agrees to the following conditions:**
- a. The existing willow riparian area shall not be altered.
 - b. Relocation of any part of the creek shall be timed to occur following the cessation of surface water flow in the creek.
 - c. Within any section creek channel to be relocated, the creek channel substrate to a depth of 10 cm shall be removed and stockpiled prior to the new creek channel construction. The stockpiled channel substrate shall be mixed with gravel and cobbles to line the new creek channel.
 - d. Plantings shall be coordinated to avoid soil erosion hazard and provide optimal survivability for the vegetation.
12. **Prior to issuance of construction or grading permits, the applicant shall indicate on the construction & grading drawings:**
- a. The type and location of construction fencing, to be reviewed and approved by the environmental coordinator, that will adequately prohibit access and construction activity in areas of sensitive biological resources.
 - b. The type and location of all sedimentation and erosion control measures as well as pollutant (e.g. petroleum products, chemicals) control measures.
 - c. Surveyed and staked location of corridor.

December 13, 2001

13. **Prior to issuance of construction or grading permits, the applicant shall submit a copy of the necessary approval from California Department of Fish and Game (CDFG), as well as a copy of the "Pre-discharge Notification" letter submitted to the Army Corps of Engineers or a valid permit from the Army Corps of Engineers.**
14. **Prior to final inspection of construction permits, the applicant shall Offer to Dedicate a perpetual conservation easement or open space easement or provide another legal mechanism that achieves the goal of protecting the creek corridor, by legally restricting activities, uses and development of these areas. The Offer to Dedicate shall be to the County of San Luis Obispo, or to a non-profit group or organization approved by the County and shall be in the form approved by the County Counsel and the Department of Planning and Building.**
15. **Creek corridor plantings shall be irrigated until well established. However, if inadequate water is present to allow for the persistence of the plantings past the time of establishment, then irrigation shall be continued indefinitely.**

Environmental Mitigations - Water and Sewer Service

16. **Prior to issuance of construction or grading permits, the applicant shall submit proof of the necessary water and sewer connections from the Templeton Community Services District.**

Environmental Mitigations - Aesthetics/Visual Impacts

17. **The use of building materials - especially in the roof - shall be nonreflective to reduce glare. The use of mirrored or reflective glass shall be prohibited.**
18. **Prior to issuance of construction permits, the applicant shall submit an exterior lighting plan which incorporates ways to minimize the amount of light migrating offsite. The goal of the lighting plan is to assure that adjacent properties are not impacted by exterior night-lighting from the project site.**

Environmental Mitigations - Air Quality

19. **Prior to issuance of construction or grading permits, the applicant shall place the following mitigation measures on the construction and grading plans:**
 - a. **Haul trucks should be filled so as to maintain 1-1.5' of freeboard above the top of the load so that excessive agitation of the load by highway speed winds does not occur. Alternatively, the fill material to be hauled could be covered or well watered prior to transport.**
 - b. **The work site should be watered at least daily, or more frequently if needed to limit offsite dust.**

- c. Vehicle speeds at the work site should be limited to no more than 15 mph.
 - d. Access routes to the site from public roads should be swept at the close of each work day to limit offsite transport of dirt onto public highways. In addition, vehicles such as the haul trucks transporting the fill material should not be allowed to leave the site in a condition that would cause offsite transport of dirt. Excessively dirty vehicles should be sprayed with water or brushed if needed prior to entering public roadways.
 - e. Graded surfaces should be paved or landscaped as soon as possible.
 - f. Dust nuisance complaints generated by affected individuals should be forwarded to the District's enforcement at 781-5912.
 - g. The applicant shall designate an individual who will be on-site during soil importation and grading activities and who is responsible for monitoring dust control measures.
20. The applicant shall install bicycle parking facilities for employees at a minimum ratio of one bike parking space for every ten automobiles.

Environmental Mitigations - Oak Trees

21. No oak trees, with diameters greater than 6", shall be removed.
22. Oak trees provide an essential component of wildlife habitat and visual benefits. The applicant recognizes this and agrees to minimize the impact to oaks during the design and construction of the potential building sites. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species. Smaller trees (6 inches diameter and smaller) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

Operational Conditions

23. a. **Prior to final inspection**, obtain approval from the County Environmental Health Department for a Hazardous Material Business Plan (if reportable quantities of hazardous materials will be kept on-site: 55 gals., 500 lbs. Of hazardous materials or 200 cu. ft. of gas). Comply with the Hazardous Material Business Plan at all times, to the satisfaction of the County Environmental Health Department.
- b. Maintain the project landscaping, driveways & parking lots at all times.
- c. Maintain drainage grease traps/sediment traps in the parking lots and elsewhere on the site at all times.

4-24
PLANNING COMMISSION
HARVEY BILLIG, M.D.
(0010021D)

December 13, 2001

Paleontological Resources

24. Prior to issuance of a grading permit, the applicant shall submit a paleontological monitoring plan to be reviewed and approved by the Planning Director, to include cessation of any construction activity if determined to be necessary by the Paleontologist.

4-25

8-1

Staff Report

San Luis Obispo County Department of Planning and Building

DATE: DECEMBER 13, 2001
TO: PLANNING COMMISSION
FROM: JAMES CARUSO, SENIOR PLANNER
SUBJECT: HARVEY BILLIG, M.D. (D010021D)

ATTACHMENTS:

1. Findings
2. Conditions
3. Graphics
4. Negative Declaration

SUMMARY

This is a development plan application for a 110,551 square foot, 192 bed medical facility. The facility will provide four types of patient care: assisted living, skilled nursing, sub-acute care & Alzheimers care.

The site is located in Templeton on Las Tablas Road, directly across from the Twin Cities Hospital, ½ mile west of Highway 101 in the Salinas River Planning Area. (APN 040-280-056).
Supervisory District No. 1.

RECOMMENDATION

Approve the project based on the findings in Exhibit A and the Conditions in Exhibit B, and approve the proposed Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000, et. seq.

PROJECT DESCRIPTION

General Plan: Office/Professional category
Area Standards: Compliance with Templeton Community Design Plan

ENVIRONMENTAL SETTING

Existing Uses & Improvements: Vacant Site.

Surrounding Uses (and Land Use Categories):

North: Twin Cities Hospital (Public Facilities)
South: Vacant commercial lot, then hilltop residences
(Office/Professional, then Residential Single Family)

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West: Medical Office buildings (Office/Professional)

East: Medical office buildings (Office/Professional)

Area: 4.27 acres

Topography: Gently sloping, with prominent drainage swale along south lot line

Vegetation: Grasses, forbs, scattered oaks & riparian

Water Supply: Templeton CSD

Sewage Disposal: Templeton CSD

Acceptance Date: August 15, 2001

ENVIRONMENTAL DETERMINATION

A Negative Declaration was issued on August 30, 1996. The applicant has agreed to implement mitigation measures to minimize the project's potential impacts to riparian habitat, oaks, visual resources, air quality, and utility services. The Negative Declaration is determined to be adequate for this request to re-approve this Development Plan.

DISCUSSION

Project Description

The site is surrounded by medical offices and facilities. Twin Cities Hospital is across the street to the north. To the south is a vacant commercial lot (also owned by Dr. Billig), and then a hill with single family residences on top. The applicant proposes to build a very large in-patient facility with 110,551 square feet and 192 beds, that will provide four services: sub-acute care, assisted living, skilled nursing, and Alzheimer care.

Issues

Building Design (Compliance with Templeton Community Design Plan)

The building clearly meets the community design standards calling for a mission style theme along Las Tablas Road. It will be an attractive addition to the community. Landscape standards will be satisfied through the landscape plan requirement.

Building Height

The bell tower and three story rear portion of the building exceed the 35 foot height limit (50 feet & 40 feet, respectively, above ANG).

LUO Section 22.04.124 (b) (1) allows the Planning Commission to modify the 35 foot height limit, provided that "...the project will not result in a substantially detrimental effect on... adjoining properties, ... will not exceed the life saving equipment capabilities of the fire protection agency..."

The Templeton Fire Department supports a height exception, provided the buildings are sprinklered (see Condition No. 3.f). The required finding is provided (see Finding No. G).

Traffic

Traffic impacts onto Las Tablas Road is acceptable. Future access through the site to the southerly, neighboring lot may be inadequate (staff suggests a 50 foot wide access way instead of 30 feet). With an approved parcel map (CO-94-0079), Dr. Billig's 8.71 acre site was divided into two lots of and 3.81 acres. The medical facility is proposed for the northerly acre site, and Dr. Billig has advised staff he may develop a senior housing project on the southern lot. A 30 foot wide access easement/driveway has been shown on all project plans, although no conditions specify that the 30 foot access way must be kept.

No bike lane improvements are required. Although the Templeton Design Plan calls for a bike lane on Las Tablas, and this project will provide adequate room for one along the street, no lanes will appear until the inconsistencies in street width can be corrected along Las Tablas.

Underground Tunnel

Initially the project included an underground tunnel leading under Las Tablas Road and linking with Twin Cities Hospital. This tunnel was deleted from the project site plan. The tunnel would bring several benefits: safe pedestrian access for employees and patient, and emergency access not dependant on an ambulance. Pedestrian safety is a concern on Las Tablas (see memo from John Wallo, County Engineer).

The tunnel will have a separate permit application. Staff will obtain written responses from several agencies: County Public Works (underground work within a county right of way), Templeton CSD (roadway utility lines) and Templeton Fire Department (emergency access into the tunnel).

Creek

A tributary of Toad Creek bisects Dr. Billig's original 8.71 acre site, and is along the southerly lot line of the medical facility lot. Much of this blue-line creek has been

disturbed by past agricultural activities, and the remaining oaks and viable riparian habitat are mostly on the portion of the creek on Dr. Billig's southerly 3.81 acre lot. The creek still meets the Dept. of Fish and Game's criteria for "stream habitat," although it empties out of a drain pipe onto the site's west lot line.

The medical facility plans call for relocating the disturbed portion of the creek southward towards the lot line. Ideally, the creek area could be made into an attractive amenity (passive use area) for the site. Staff suggested that the parking area could be reduced (70 spaces required, 107 spaces provided). However, the design must consider the following: The Las Tablas area has a parking shortage, the project architects' recommendation for a large parking area based upon his design experience with other medical facilities nationwide, and the need for convenient parking areas by all the building's entrance doors (three on the south side).

The original project design was changed as follows: the parking area was reduced along the building's south side (from 3 tiers to 2), the graded creek swale slope was changed from 2:1 to 4:1, the viable vegetation stands shall be mapped and protected, an area twice the size of the graded creek bed area shall be revegetated (the revegetation will extend onto the southerly lot), and a 100 foot wide creek corridor shall be established through the entire site (both lots) and offered for dedication as open space.

The alteration of the blueline stream will require approval from the state Dept. of Fish & Game and the Army Corps. Of Engineers (see Condition No. 13).

Aesthetic Resources

The proposed project will require an exterior lighting proposal and a landscaping plan. The proposal and the landscaping plan shall be implemented through the conditions of approval. The landscaping plan provides screening of the winery production facility and tasting room. The required exterior lighting proposal and landscaping plan will mitigate for aesthetic resources impacts resulting from the project.

Visual Impact

Non-glare window glass & roofing materials shall be used, in consideration of the hilltop residences to the south.

Dust Control

APCD recommendations for dust control have been incorporated. The project calls for 32,000 c.y. of imported fill (which is 135 truckloads a day for 16 days).

Utility Services

The Templeton CSD has advised that the project needs to comply with its retrofit

4-29

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program before water service is provided.

Agency Review

A summary of the agency responses is provided below:

County Public Works - Need curb/gutter/sidewalk, suggests wider access to southern lot.

Environmental Health - Reportable quantities of hazardous materials need to be handled under a Hazardous Material Business Plan approved by the Environmental Health Department (Reportable quantities: 55 gals., 500 lbs. Or 200 c.f. gas)

APCD - Questions the high number of parking spaces (70 required, 107 provided). Suggest public transit services if out-patient services become available. Requires dusk control during construction.

TCSD- Needs to complete water retrofit program.

Templeton Fire Dept. - Height exception o.k. with sprinklered buildings.

Templeton Area Advisory Group - Supports project, with concern about the creek area.

Where appropriate, the agency comments have been incorporated into the conditions of approval.

Staff report prepared by
James Caruso, Senior Planner
and reviewed by Pat Beck, Principal Planner

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EXHIBIT A
Findings - D010021D

- A. As conditioned the proposed project or use is consistent with the San Luis Obispo County General Plan because the uses are allowed pursuant to Table O of the Land Use Element and are consistent with all other General Plan policies.
- B. As conditioned, the project or use satisfies all applicable provisions of Title 22 of the San Luis Obispo County Code.
- C. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied to this particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to properties or improvements in the vicinity of the use because the project will be developed and operated in conformance with county approved building permits, grading permits, and in conformance with this development plan permit.
- D. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the proposed project is a medical facility within an area of established medical offices and a community hospital, and because the project design conforms to the criteria of the Templeton Community Design Plan.
- E. The proposed project will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the site has direct access onto Las Tablas Road, which is capable of handling the traffic generated by this use.
- F. On the basis of the Initial Study and all comments received there is no substantial evidence that the project will have a significant effect of the environment.

Height Exception Finding

- G. The modification of the 35 foot height limit (Office/Professional Category) to allow a 40 foot height above ANG for the rear three story structure and a 50 foot height above ANG for the bell tower is justified because the structures are either centrally located or located at the downhill rear portion of the building so as not to detract from the enjoyment or value of either the surrounding commercial buildings or the uphill residences to the south, and because the Templeton Fire Department supports the height exception with the understanding that the buildings will be sprinklered.

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EXHIBIT B
Conditions of Approval - D010021D

Authorized Use

1. This approval authorizes the construction of a medical facility of approximately 110,600 s.f. in size, providing approximately 192 in-patient beds, and providing Nursing & Personal Care services (i.e., sub-acute care, assisted living, skilled nursing, and Alzheimer care).
2. Site development and use shall be consistent with the approved project site plan & elevation drawings.

Construction Permits

3. **Prior to the issuance of construction permits**, obtain Planning Department approval of the following:
 - a. A grading permit and also a drainage plan (blue line swale crossing). See also Condition No. 13 below regarding Dept. of Fish & Game and Army Corps. of Engineers approval of work in the blue line swale area. See Condition No. 19 below regarding dust control.
 - b. Curb/gutter/sidewalk plans. Said plans will require an encroachment permit from the County Public Works Dept.
 - c. A project sign plan (maximum 100 s.f. of identity signs, plus traffic directional signs).
 - d. Building plans that include non-glare windows & roofing. See also Condition No. 17 below.
 - e. Low intensity outdoor lighting plan. See also Condition No. 18 below.
 - f. Fire sprinklered building plans acceptable to Templeton Fire Department.
 - g. Bike parking, conveniently located near building entrances for public and employees, at a ratio of one bike space/10 auto spaces.
4. **Prior to issuance of a construction or grading permits**, obtain from adjacent property owners the authorization to encroach over lot lines ("right of entry") where necessary, such as for:
 - a. Along east lot line, where neighboring retaining walls may be removed.
 - b. Along west lot line, where fill slope may cover the lot line.

Landscape Plans

5. **Prior to issuance of construction or grading permits**, obtain Planning Department

approval of complete landscape planting and irrigation construction drawings, pursuant to Land Use Ordinance Section 22.04.180 et. seq. Said plans to incorporate the following Templeton Design Plan Standards:

- V.E.1. - Decorative rural, low water landscape in 20 front setback area.
- V.E.9 - Parking lot landscape with dense tree cover.
- V.E.13 - 3' high berm in 20' front setback area.

Environmental Mitigations - Riparian Vegetation

6. **Prior to issuance of construction or grading permits**, the applicant shall retain a qualified biologist to locate the western extent of the willow riparian. The section of creek to the east of this location (including the entire willow riparian) shall be surveyed by a licensed surveyor in consultation with the biologist. The surveyed section of the creek shall be identified on the final site plan map, **at the time of application for construction or grading permits.**
7. **Prior to issuance of construction or grading permits**, the applicant shall submit a site plan that includes a creek corridor that averages approximately 100 feet wide. The purpose of the corridor is to maintain the integrity of the creek. Some portions of the corridor may be slightly narrower than 100 feet if it does not degrade wildlife values and other portions of the corridor are proportionally wider than 100 feet. Except for landscaping with native vegetation, no development shall be allowed within this corridor. Minor exceptions to this limitation may be allowed as approved by the Environmental Coordinator and may include passive use improvements such as picnic tables or benches.
8. **Prior to issuance of construction or grading permits**, the applicant shall submit a restoration/revegetation plan, prepared by a biologist with experience in restoration biology, for review and approval by the Environmental Coordinator. The goal of the restoration plan is to enhance the biological values of the creek corridor. The restoration/revegetation plan shall provide for the following:
 - a. Identification of all proposed creek alterations, including vegetation removal.
 - b. Revegetation of all cut and fill slopes, and graded areas. Native species that occur on the site shall be used.
 - c. Revegetation of all disturbed portions of the stream so as to restore them to as near as their original condition as possible. **In addition, an area equal to the riparian disturbed by the applicant shall be revegetated and enhanced.** Revegetation efforts shall be limited to the use of native plant species of the Toad Creek drainage.
 - d. Type and amount of plant materials.
 - e. Schedule for planting activities.
 - f. Performance criteria.

9. **Prior to issuance of construction or grading permits**, the applicants shall retain an individual, approved by the Environmental Coordinator, to act as Environmental Monitor during all creek relocation and restoration work. The monitor shall be involved in all future work on the site associated with implementation of creek relocation and restoration mitigation plans.
10. **Prior to issuance of construction or grading permits**, the Environmental Monitor shall prepare a specific mitigation monitoring plan to be reviewed and approved by the Environmental Coordinator that includes:
 - a. Duties and responsibilities of the monitor.
 - b. Estimated timing of proposed activities.
 - c. Personnel involved in specific monitoring.
 - d. Dispute resolution procedures.
 - e. Methods used to monitor activities.
 - f. Criteria for evaluation.
 - g. Timing of reports to be submitted to the Department of Planning and Building, Environmental Division.
11. During implementation the creek restoration/revegetation plan, the applicant agrees to the following conditions:
 - a. The existing willow riparian area shall not be altered.
 - b. Relocation of any part of the creek shall be timed to occur following the cessation of surface water flow in the creek.
 - c. Within any section creek channel to be relocated, the creek channel substrate to a depth of 10 cm shall be removed and stockpiled prior to the new creek channel construction. The stockpiled channel substrate shall be mixed with gravel and cobbles to line the new creek channel.
 - d. Plantings shall be coordinated to avoid soil erosion hazard and provide optimal survivability for the vegetation.
12. **Prior to issuance of construction or grading permits**, the applicant shall indicate on the construction & grading drawings:
 - a. The type and location of construction fencing, to be reviewed and approved by the environmental coordinator, that will adequately prohibit access and construction activity in areas of sensitive biological resources.
 - b. The type and location of all sedimentation and erosion control measures as well as pollutant (e.g. petroleum products, chemicals) control measures.
 - c. Surveyed and staked location of corridor.

13. **Prior to issuance of construction or grading permits**, the applicant shall submit a copy of the necessary approval from California Department of Fish and Game (CDFG), as well as a copy of the "Pre-discharge Notification" letter submitted to the Army Corps of Engineers or a valid permit from the Army Corps of Engineers.
14. **Prior to final inspection of construction permits**, the applicant shall Offer to Dedicate a perpetual conservation easement or open space easement or provide another legal mechanism that achieves the goal of protecting the creek corridor, by legally restricting activities, uses and development of these areas. The Offer to Dedicate shall be to the County of San Luis Obispo, or to a non-profit group or organization approved by the County and shall be in the form approved by the County Counsel and the Department of Planning and Building.
15. Creek corridor plantings shall be irrigated until well established. However, if inadequate water is present to allow for the persistence of the plantings past the time of establishment, then irrigation shall be continued indefinitely.

Environmental Mitigations - Water and Sewer Service

16. **Prior to issuance of construction or grading permits**, the applicant shall submit proof of the necessary water and sewer connections from the Templeton Community Services District.

Environmental Mitigations - Aesthetics/Visual Impacts

17. The use of building materials - especially in the roof - shall be nonreflective to reduce glare. The use of mirrored or reflective glass shall be prohibited.
18. **Prior to issuance of construction permits**, the applicant shall submit an exterior lighting plan which incorporates ways to minimize the amount of light migrating offsite. The goal of the lighting plan is to assure that adjacent properties are not impacted by exterior night-lighting from the project site.

Environmental Mitigations - Air Quality

19. **Prior to issuance of construction or grading permits**, the applicant shall place the following mitigation measures on the construction and grading plans:
 - a. Haul trucks should be filled so as to maintain 1-1.5' of freeboard above the top of the load so that excessive agitation of the load by highway speed winds does not occur. Alternatively, the fill material to be hauled could be covered or well watered prior to transport.
 - b. The work site should be watered at least daily, or more frequently if needed to

- limit offsite dust.
 - c. Vehicle speeds at the work site should be limited to no more than 15 mph.
 - d. Access routes to the site from public roads should be swept at the close of each work day to limit offsite transport of dirt onto public highways. In addition, vehicles such as the haul trucks transporting the fill material should not be allowed to leave the site in a condition that would cause offsite transport of dirt. Excessively dirty vehicles should be sprayed with water or brushed if needed prior to entering public roadways.
 - e. Graded surfaces should be paved or landscaped as soon as possible.
 - f. Dust nuisance complaints generated by affected individuals should be forwarded to the District's enforcement at 781-5912.
 - g. The applicant shall designate an individual who will be on-site during soil importation and grading activities and who is responsible for monitoring dust control measures.
20. The applicant shall install bicycle parking facilities for employees at a minimum ratio of one bike parking space for every ten automobiles.

Environmental Mitigations - Oak Trees

21. No oak trees, with diameters greater than 6", shall be removed.
22. Oak trees provide an essential component of wildlife habitat and visual benefits. The applicant recognizes this and agrees to minimize the impact to oaks during the design and construction of the potential building sites. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species. Smaller trees (6 inches diameter and smaller) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

Operational Conditions

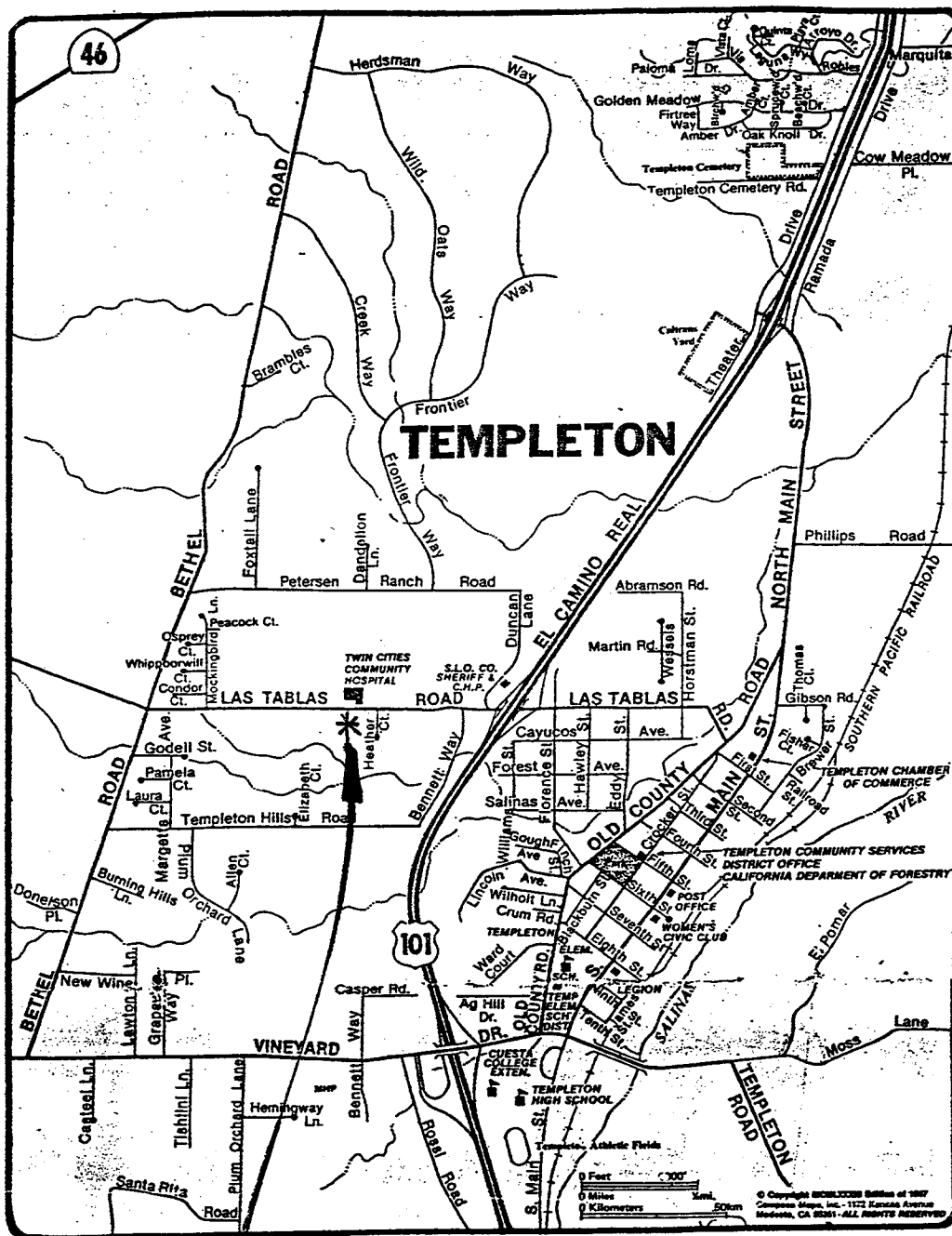
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- b. Maintain the project landscaping, driveways & parking lots at all times.
- c. Maintain drainage grease traps/sediment traps in the parking lots and elsewhere on the site at all times.

Paleontological Resources

24. **Prior to issuance of a grading permit**, the applicant shall submit a paleontological monitoring plan to be reviewed and approved by the Planning Director.

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SITE

PROJECT

DO100a1D
BILLIG

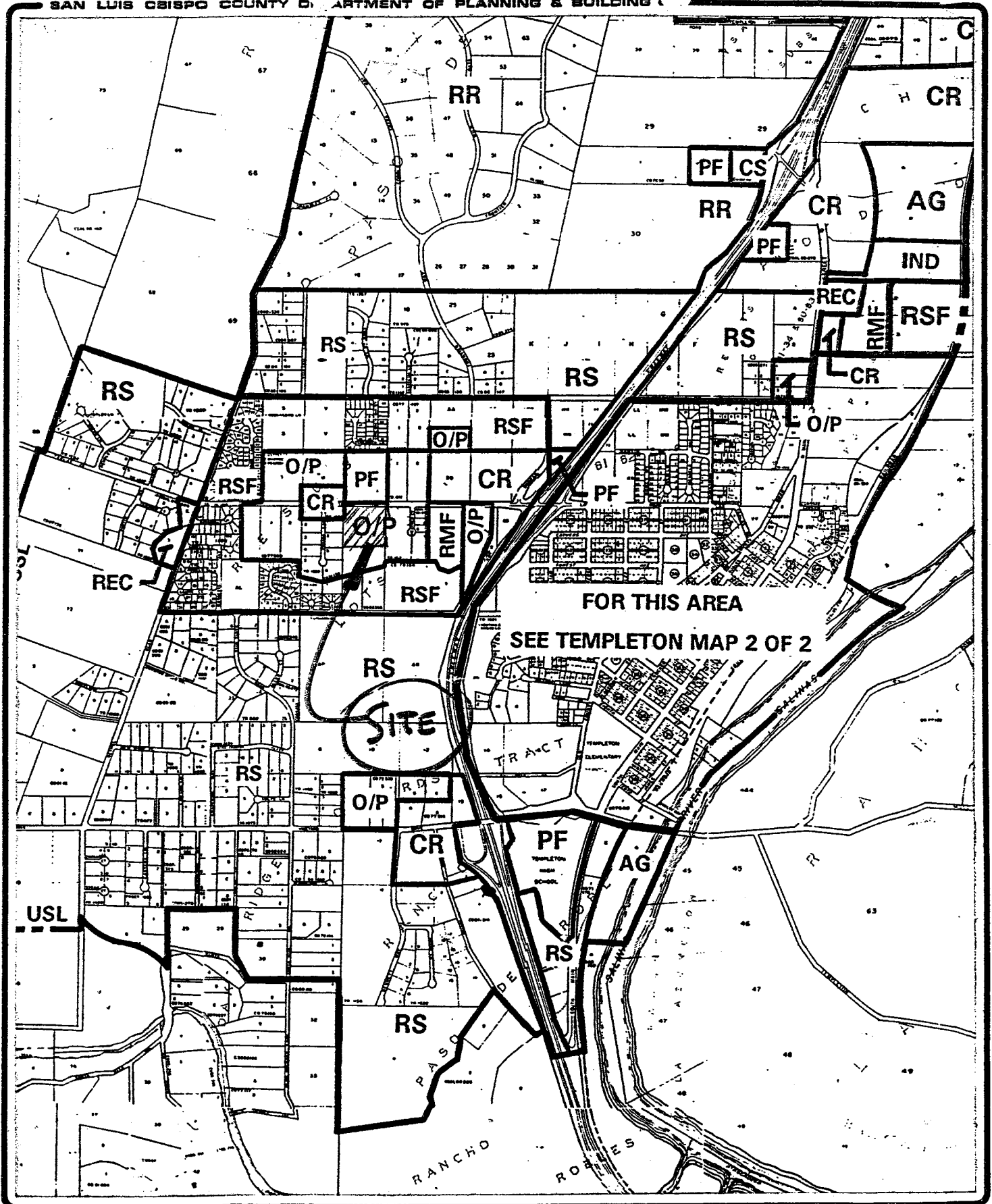


EXHIBIT

VICINITY MAP

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8-14



PROJECT
PROJECT

DO10021D
BILLIG

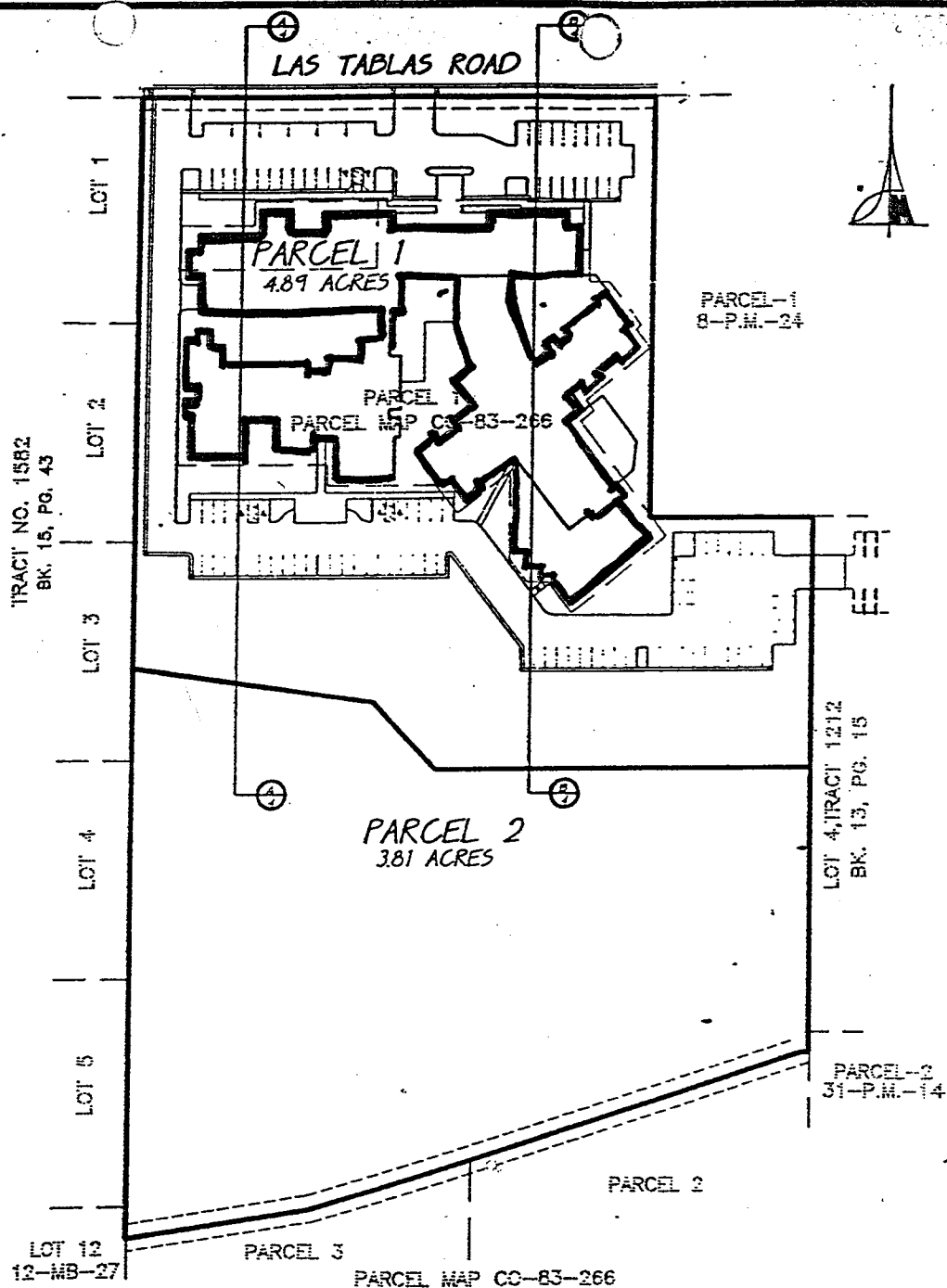


EXHIBIT

CATAGORY MAP

4-39

8-15



PROJECT

DO10021D
BILLIG



EXHIBIT

SITE PLAN

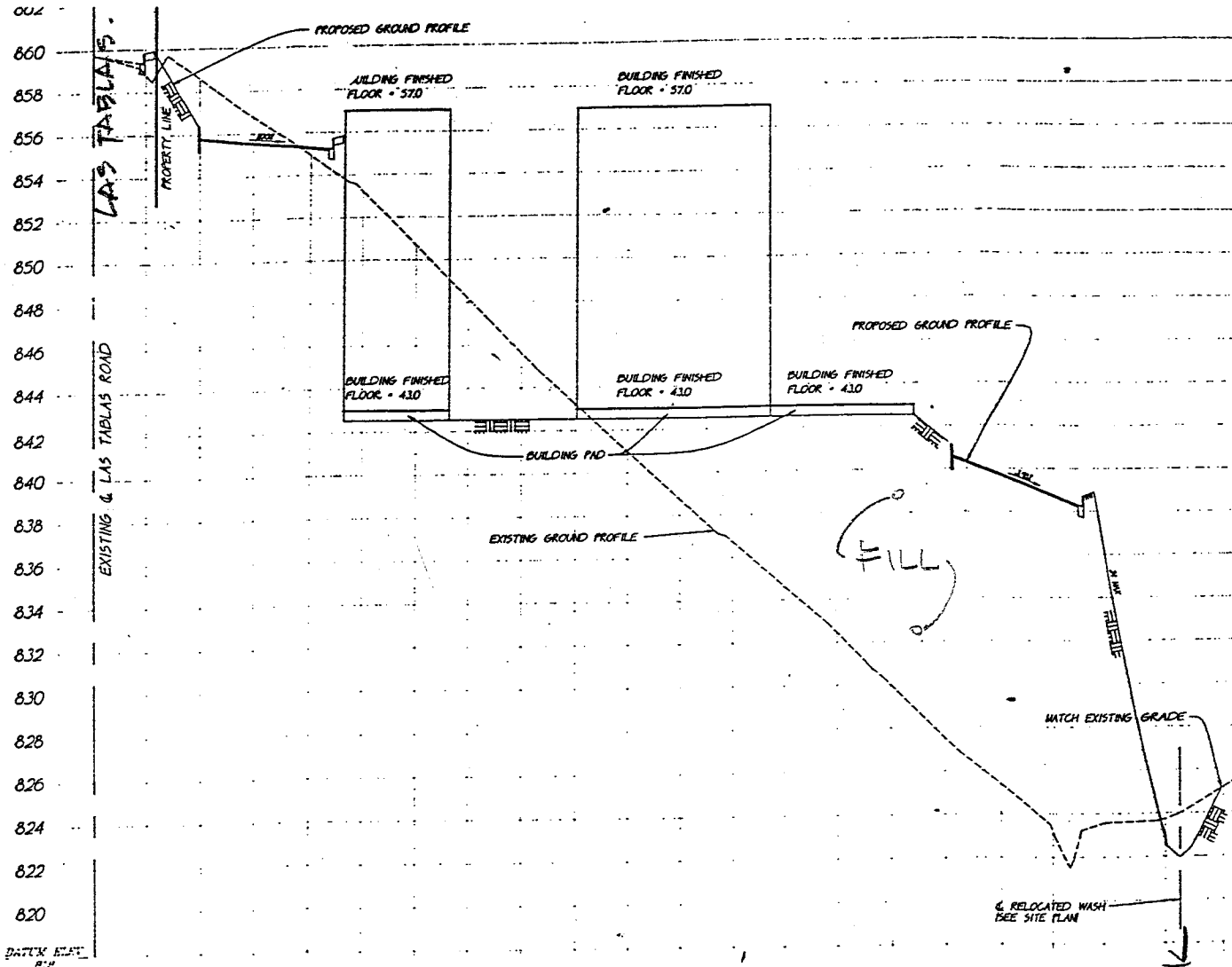
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**EXHIBIT**

GRADING PLAN

4-41

8-17



PROJECT

DO10021D
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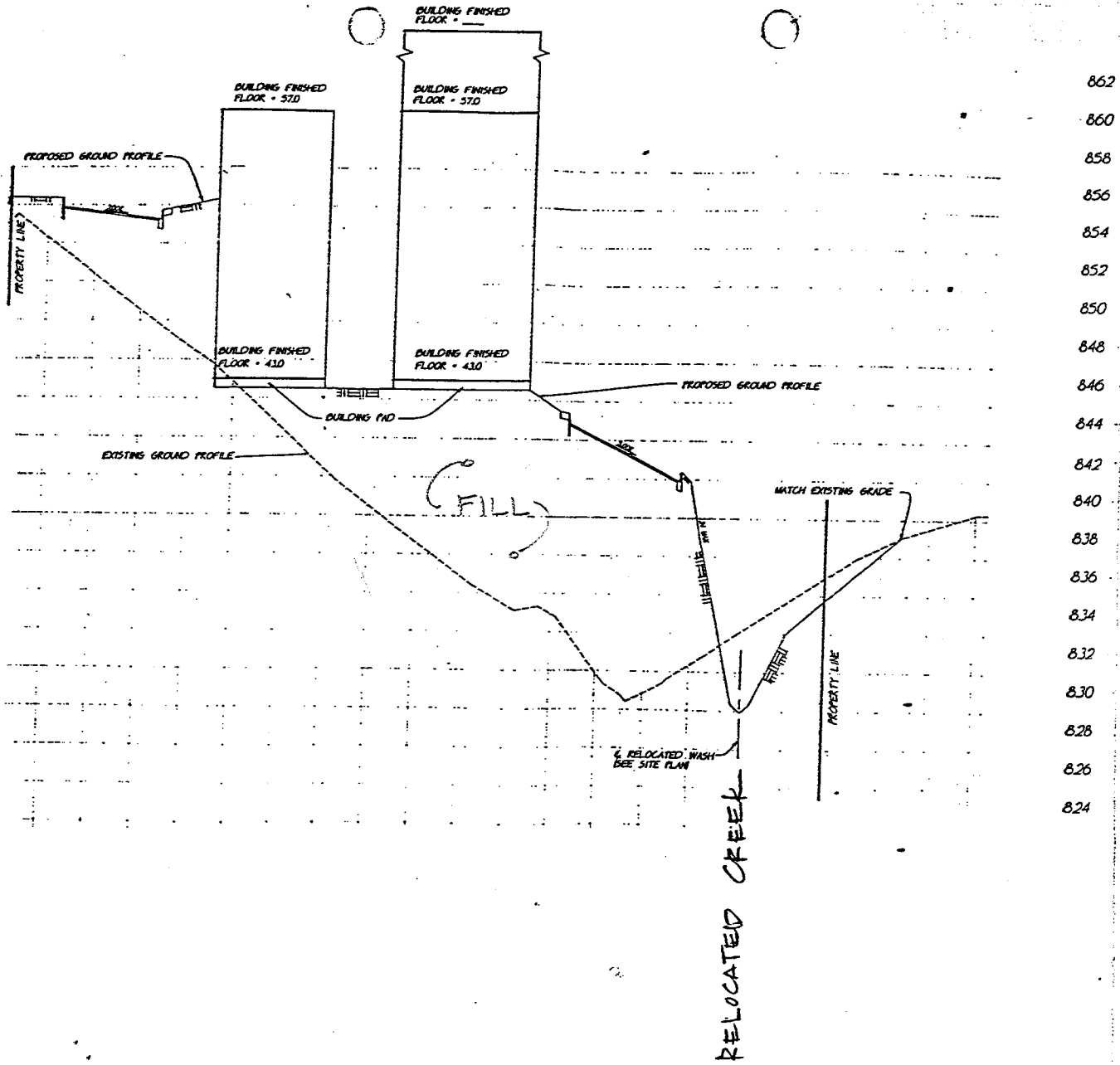
EXHIBIT

X-SECTION (B-4)

4-47

8-18

LAS TABLAS RD.



2:1 SLOPE SHOWN
ON CREEK
NOW WILL BE 4:1

PROJECT

DO10021D
BILLIG

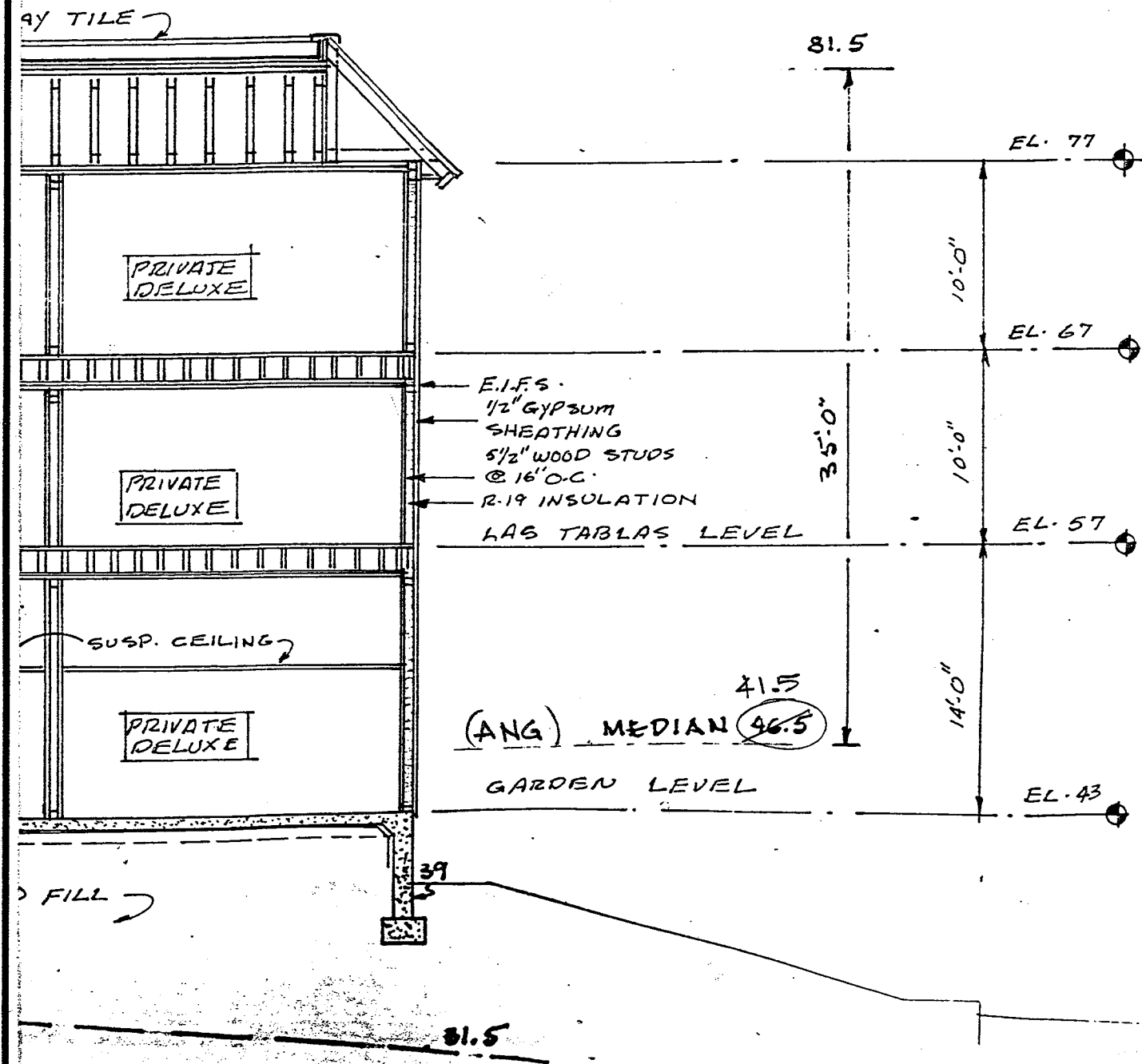


EXHIBIT

X-SECTION (A-4)

4-43

8-19



PROJECT

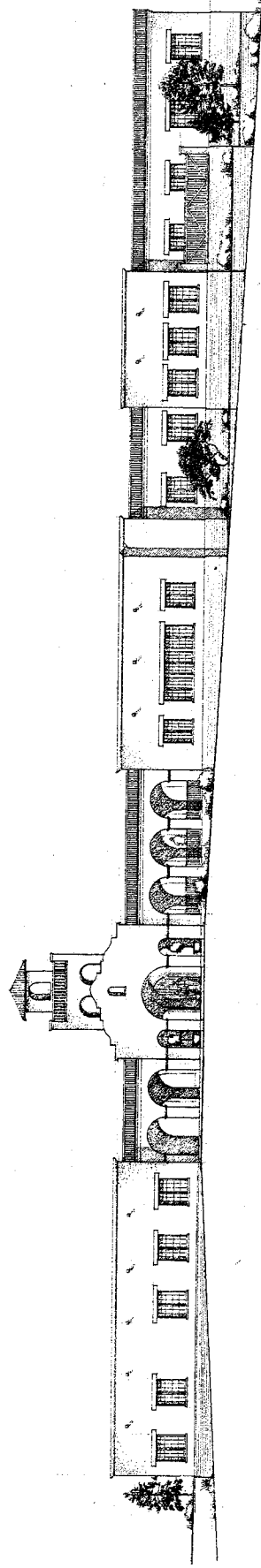
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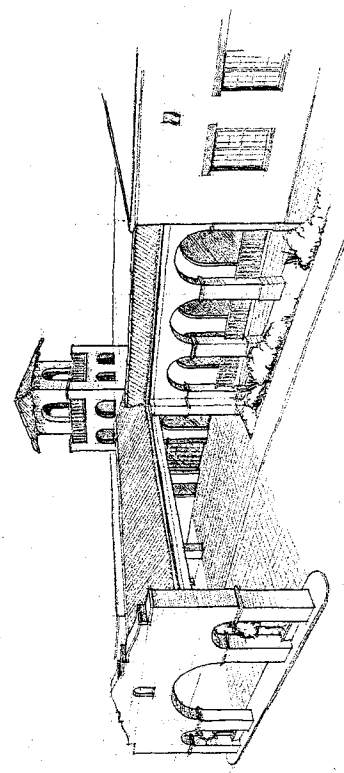
EXHIBIT

3 STORY BUILDING
40' ABOVE ANG

hh-h



DR. DAVID BILLIG BUILDING



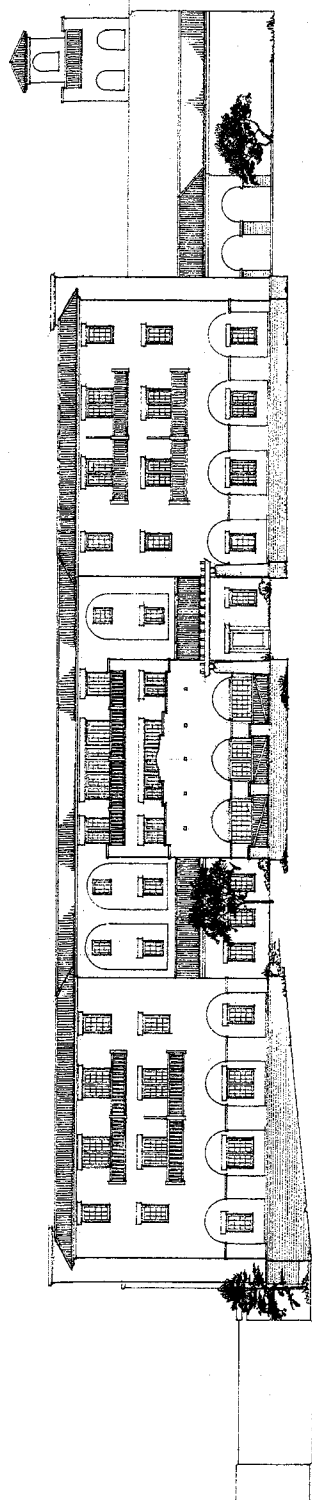
EXHIBIT

FRONT ELEVATION
 VIEW TO NORTH

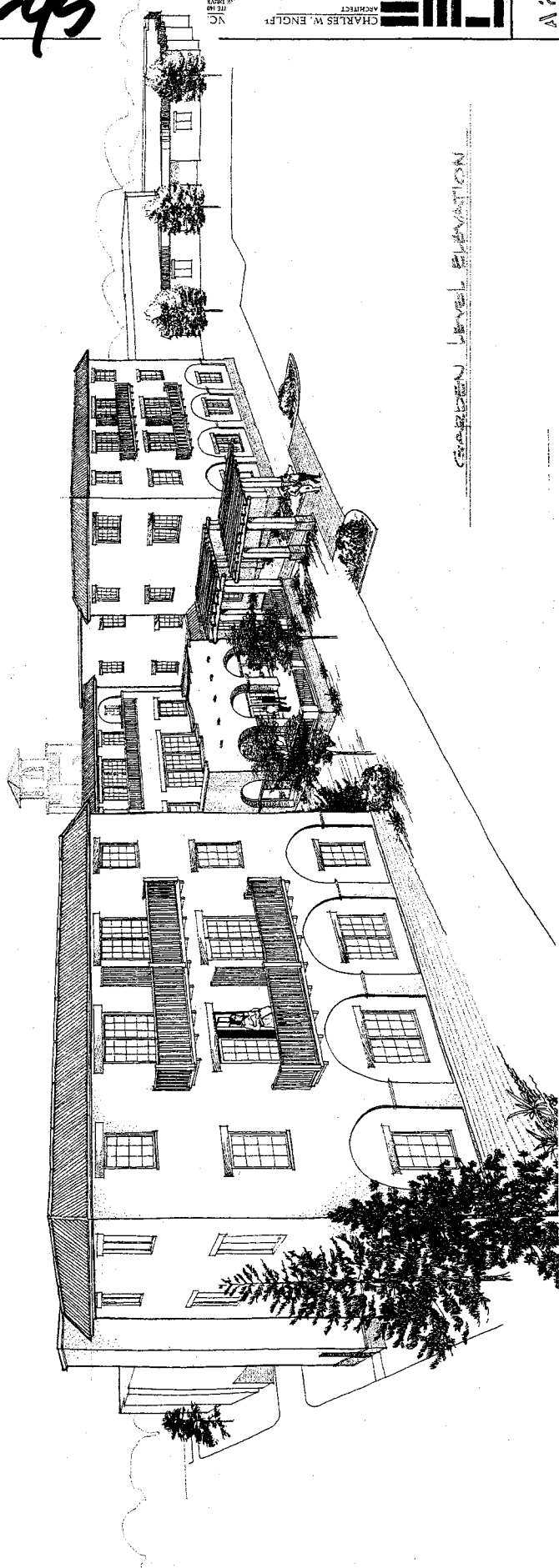


PROJECT

DR. DAVID
 BILLIG



Campylobacter, *Listeria*, *Escherichia coli*



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EXHIBIT

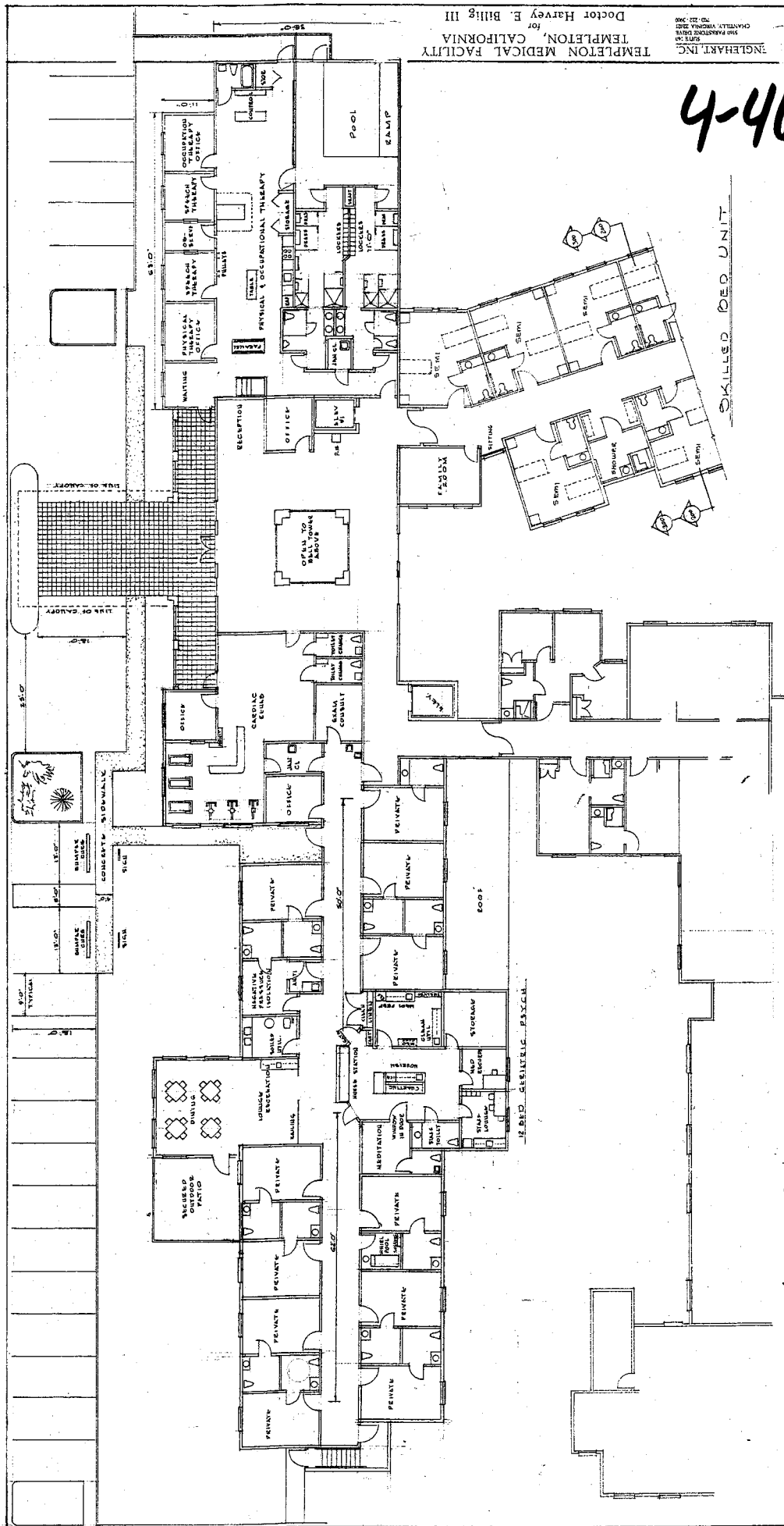
ELEVATIONS



PROJECT

Do10021P
BILLIG

4-46



LAS TABLAS ENTRANCE PLAN
SCALE 1/8" = 1'-0"

ASSISTED LIVING

8-23

18

TEMPLE

DATE

FILED

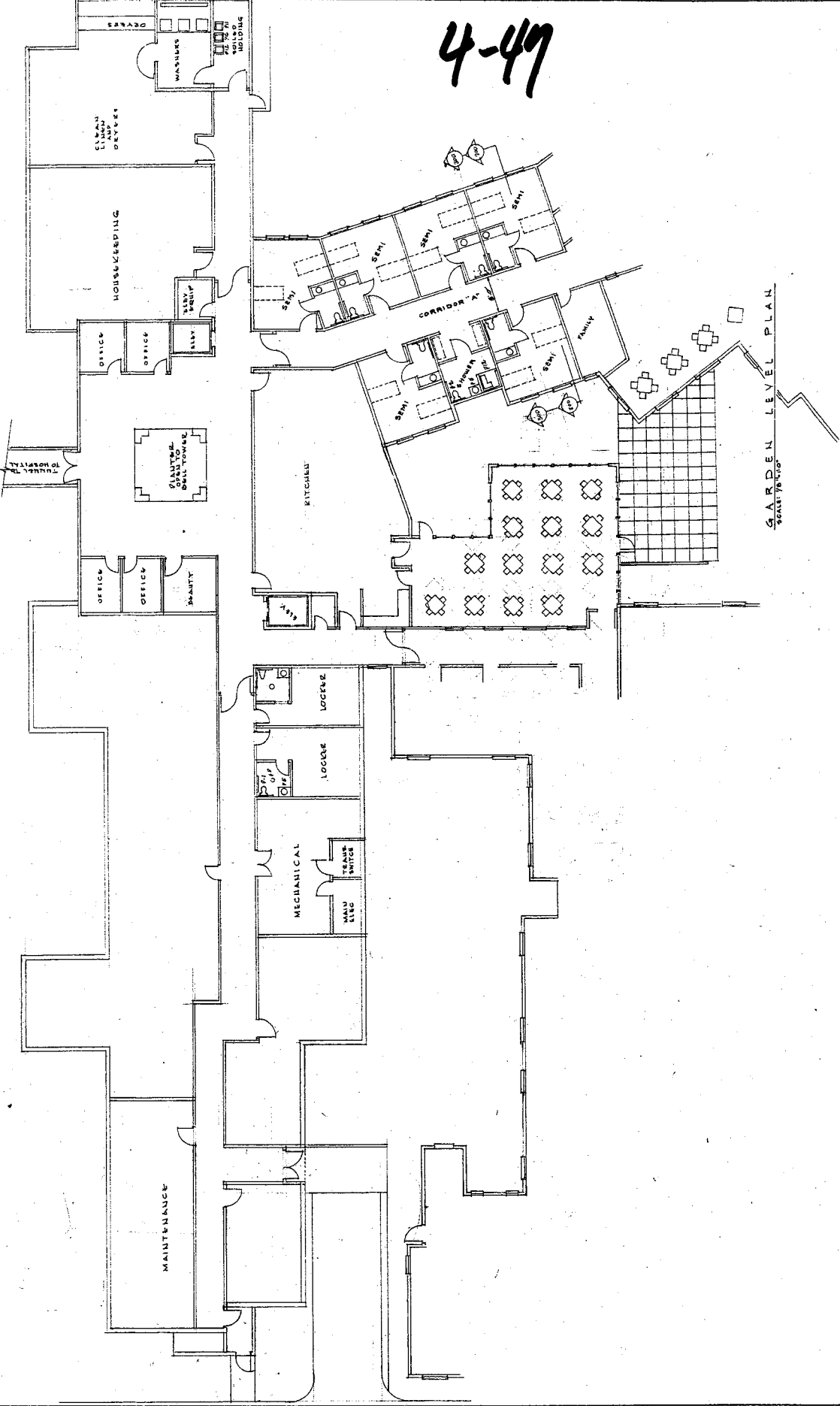
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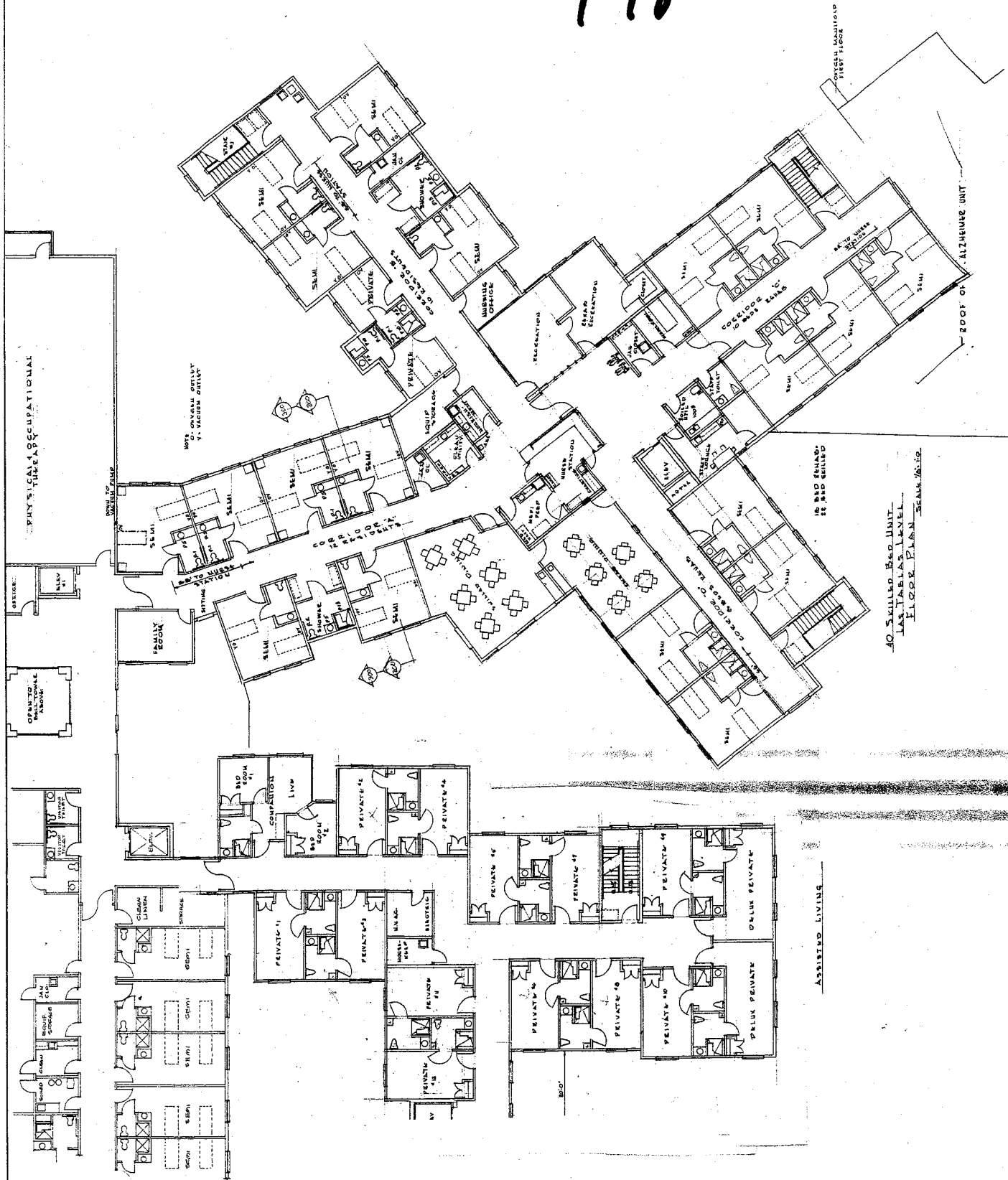
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DOCTOR HARVEY E. BILLING III
DOCTOR HARVEY E. BILLING III
DOCTOR HARVEY E. BILLING III

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84-4



52-8

46

DATE
APPROVED
BY



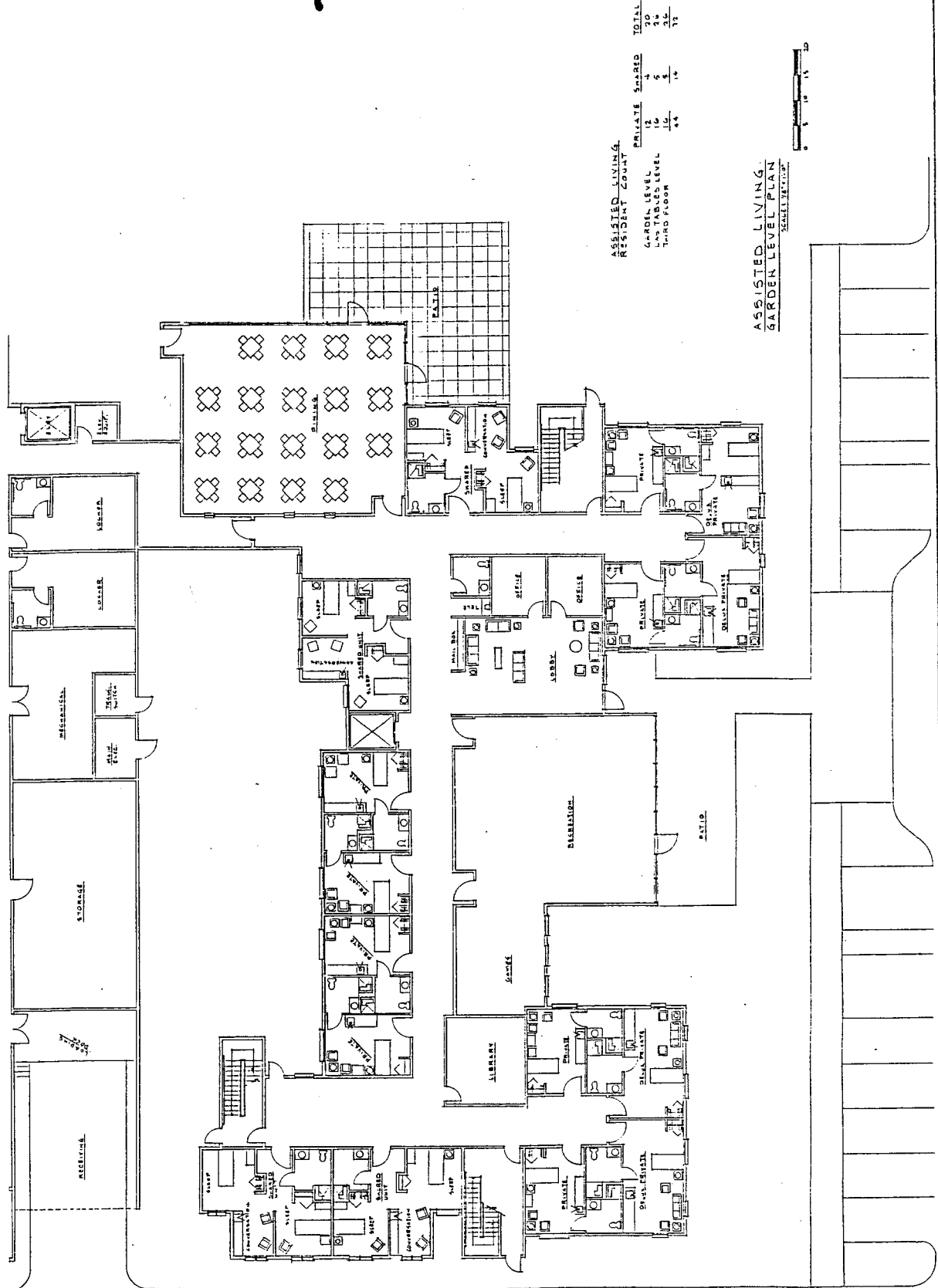
NGLEHART, INC.
12000 VAN DYKE BLVD.
VAN DYKE, CALIF. 92684
TEL: (619) 441-1000

TEMPLETON MEDICAL FACILITY
for
Doctor Harvey E. Billing III
TE
4, CALIFORNIA

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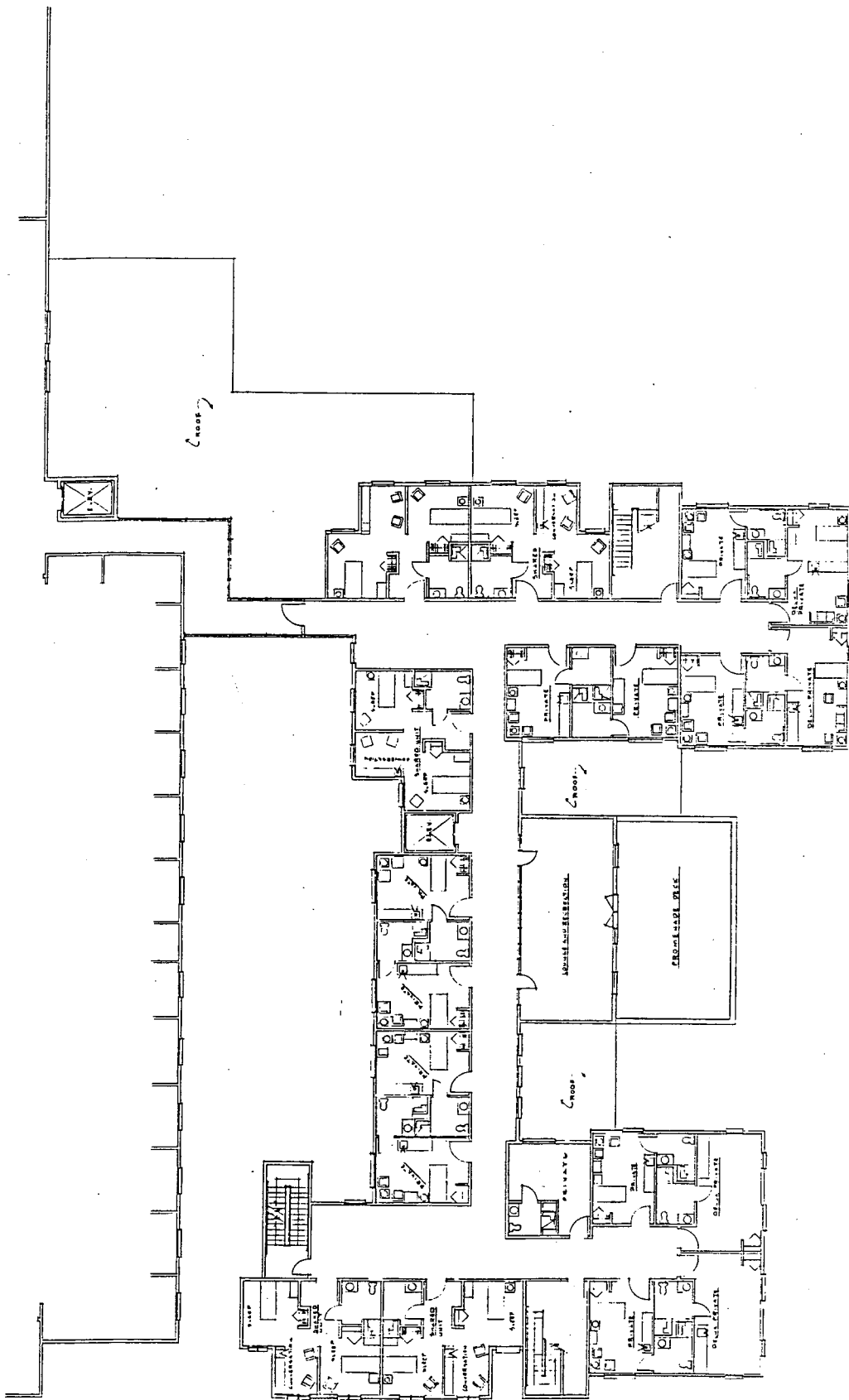
454



ASSISTED LIVING
 RESIDENT COUNT

	PRIVATE	SHARED	TOTAL
GARDEN LEVEL	12	4	16
LAST TABLED LEVEL	16	5	21
THIRD FLOOR	16	5	21

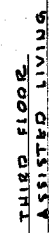
ASSISTED LIVING
 GARDEN LEVEL PLAN
 SCALE: 1/8" = 1'-0"



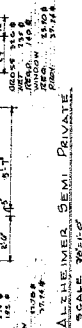
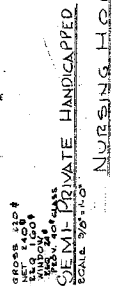
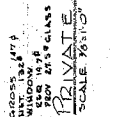
ASSISTED LIVING
UNIT
PLAN

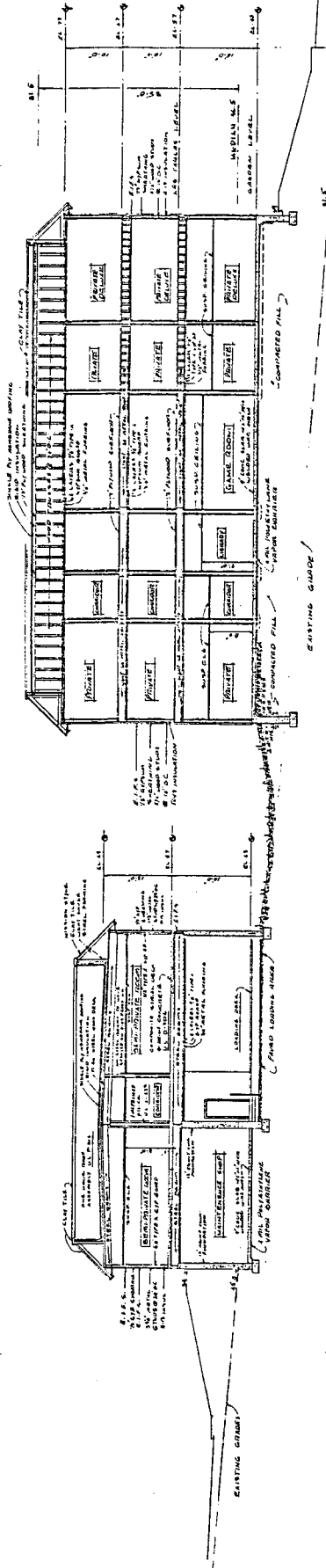
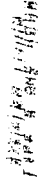
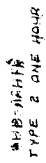
154

2. 2



3546 1/2 x 1.0"





BUILDING SECTIONS
SCALE 1/8"=1'-0"

4-54

8.30

4-55

(br/sm) FOR OFFICIAL USE ONLY

2-31
8-31

**COUNTY OF SAN LUIS OBISPO
NOTICE OF DETERMINATION AND
NEGATIVE DECLARATION**

ENVIRONMENTAL DETERMINATION NO. ED96-166DATE: August 30, 1996**PROJECT DESCRIPTION****APPLICANT/ENTITLEMENT:** Billig Development Plan; D950134D**PLANNING AREA:** Salinas River, Templeton**D010021D****LAND USE CATEGORY:** Office & Professional**PARCEL SIZE:** 4.90 acres**TOTAL AREA OF DISTURBANCE:** Approximately 4.89 acres**LOCATION:** On the south side of Las Tables Road, directly across from Twin Cities Hospital, west of Highway 101, in the community of Templeton**PROPOSED USES/INTENT:** The applicant is requesting permission to develop a 110,551 square foot, 192 bed medical facility. The facility would provide four levels of patient care: assisted living; skilled nursing; Alzheimers care; and Sub-acute care**APPLICANT:** Harvey Billig III, M.D.; Templeton, CA**ENVIRONMENTAL SETTING****TOPOGRAPHY:**

Gently sloping with a prominent drainage swale along the southerly property boundary.

VEGETATION:

Grasses; forbs; scattered oaks and riparian

SOIL TYPE:

Arbuckle-San Ysidro complex, Lockwood Conception complex

SOIL CHARACTERISTICS:

Moderately drained; Low to moderate erodibility; low to moderate shrink-swell potential

GEOLOGIC HAZARDS:

Low landslide potential; low to moderate liquefaction potential

FIRE HAZARD:

Moderate to high

WATER:

To be provided by Templeton Community Services District

SEWAGE DISPOSAL:

To be provided by Templeton Community Services District

EXISTING USES:

Undeveloped

SURROUNDING USES:

Hospital; medical offices, single-family residences; undeveloped

ADDITIONAL INFORMATIONAdditional information pertaining to this enviro
Environmental Coordinator, County Governmen**STATEMENT OF FINDINGS**

The Environmental Coordinator, after completion that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Sections 21108, 21151 & 21167) is proposed.

ACTION TAKEN

On Dec 13 1901, the San Luis Obispo Board of Supervisors/Planning Commission/Staff, having considered the Environmental Coordinator's action, approved/denied this project.

A copy of the Negative Declaration is available for review from the San Luis Obispo County Clerk, 1144 Monterey Street, Suite A, San Luis Obispo, CA 93408-2040.

Post-it® Fax Note	7671	Date	# of pages <u>27</u>
To <u>Mike Callagy</u>	From <u>James Caruso</u>		
Co./Dept.	Co.		
Phone #	Phone #		
Fax # <u>611 322-0124</u>	Fax #		

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COUNTY OF SAN LUIS OBISPO

INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST

Project Title & Number BILLIG DEVELOPMENT PLAN - ED 96-166 (DO10021D)
(~~R250134D~~)

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses, surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project. Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA 93408-2040 or call (805) 781-5600.

Initial Study Reference and Agency Contacts: The following reference materials are used in the environmental review for each project and are hereby incorporated by reference into the Initial Study.

- Project File for the Subject Application
- County General Plan (Inland & Coastal, including all maps & elements)
- County Land Use Ordinance
- Area of Critical Concerns Map
- Fire Hazard Severity Map
- Natural Species Diversity Database
- Areas of Special Biological Importance Map
- Archaeological Resources Map
- Natural Resource Conservation Service; Soil Survey for SLO County
- Flood Hazard Maps
- Airport Land Use Plans
- Other special studies, reports and existing EIRs as appropriate

In addition to the above, the County Planning or Environmental Division has contacted responsible and trustee agencies for their comments on the proposed project. With respect to the subject application, the following agencies have been contacted (marked with an "X") or have responded (marked with "XX"):

- | | |
|--|---|
| <input checked="" type="checkbox"/> County Engineering Department | <input checked="" type="checkbox"/> CA Department of Fish and Game |
| <input checked="" type="checkbox"/> County Environmental Health Division | <input checked="" type="checkbox"/> CA Department of Forestry |
| <input type="checkbox"/> County Planning Division | <input checked="" type="checkbox"/> CA Department of Transportation |
| <input type="checkbox"/> County Agricultural Commissioner's Office | <input type="checkbox"/> Regional Water Quality Control Board |
| <input type="checkbox"/> County Airport Manager | <input type="checkbox"/> CA Coastal Commission |
| <input type="checkbox"/> Airport Land Use Commission | <input checked="" type="checkbox"/> <u>TEMPLETON</u> Community |
| <input checked="" type="checkbox"/> Air Pollution Control District | <input type="checkbox"/> Service District |
| <input type="checkbox"/> County Sheriff's Department | <input type="checkbox"/> Other _____ |

Checklist Identification of Mitigations for Potential Impacts: The checklist provides the identification and summary of the project's potential environmental impacts. Where potential impacts require mitigation, the following list of mitigations explains how the identified potential environmental impacts can and will be avoided or substantially lessened:

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- A. The project has been changed to avoid or substantially lessen environmental impacts. Where changes require explanation, the change(s) will be discussed in the Special Environmental Considerations section or attached material following the checklist.
- B. The project is subject to standards and requirements of the Land Use Element/Land Use Ordinance and/or other County ordinances that include provisions to avoid or substantially lessen environmental impacts. These provisions are requirements that must be incorporated into the project.
- C. The project is subject to state and/or federal regulations, laws and/or requirements that include provisions to avoid or substantially lessen environmental impacts. The project must incorporate the above provisions in order to be in compliance with federal or state law.
- D. A special mitigation plan to avoid or lessen environmental impacts has been agreed to by the applicant. This will be noted on the checklist and, if necessary, discussed in an attachment to the checklist.

COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1=Potentially Significant Impact
 2=Impact Can & Will be Mitigated
 3=Insignificant Impact
 4=Not Applicable

I. BIOLOGICAL RESOURCES

- | | 1 | 2 | 3 | 4 |
|--|-----|-----|-----|-----|
| A. Wildlife | () | () | (✓) | () |
| * B. Vegetation | () | (✓) | () | () |
| * C. Habitat Area | () | (✓) | () | () |
| D. Rare and/or Endangered Species | () | () | () | (✓) |
| * E. Unique or Fragile Biotic Community | () | (✓) | () | () |
| F. State Area of Special Biological Importance | () | () | () | (✓) |
| * G. Riparian/Wetland Area | () | (✓) | () | () |
| H. Other: _____ | () | () | () | () |

Mitigation: A ___ B ___ C ___ D X

- * (✓) See attached exhibit(s): (✓) Developer's Statement; () Agency Response _____
 () Revised Plans; () Designated Building Sites
- * (✓) See Special Environmental Considerations
- () See Document in file _____

II. DRAINAGE, EROSION AND SEDIMENTATION

- | | | | | |
|--|-----|-----|-----|-----|
| A. Increased Storm Water Runoff | () | () | (✓) | () |
| B. Erodible Soils/Erosion | () | () | (✓) | () |
| C. Poorly Drained Soils | () | () | (✓) | () |
| D. Sedimentation | () | () | (✓) | () |
| E. Contributes to Existing Drainage Problem | () | () | (✓) | () |
| * F. Alters Existing Drainage Course or Waterway | () | (✓) | () | () |
| G. Other: _____ | () | () | () | () |

Mitigation: A ___ B ___ [see LUO sec.22.05.036 (CZLUO 23.05.036); 22.05.040 (CZLUO 23.05.040)]
 C ___ D X

- * (✓) See attached exhibit(s): (✓) Developer's Statement; () Agency Response _____
 () Sedimentation & Erosion Control/Drainage Plan
- (✓) See Special Environmental Considerations
- () See Document in file _____

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1=Potentially Significant Impact
2=Impact Can & Will be Mitigated
3=Insignificant Impact
4=Not Applicable

1 2 3 4

- Mitigation:** A _____ B _____ C _____ D *

- Mitigation:** A ____ B ____ C ____ D ____

- Mitigation:** A _____ B _____ C _____ D _____

- Page 3

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1=Potentially Significant Impact
 2=Impact Can & Will be Mitigated
 3=Insignificant Impact
 4=Not Applicable

VI. TRAFFIC

- | | 1 | 2 | 3 | 4 |
|---|-----|-----|-----|-----|
| *A. Increase in Vehicle Trips | () | (✓) | () | () |
| *B. Reduced Levels of Service on Existing Public Roadways | () | (✓) | () | () |
| C. Limited or Unsafe Access | () | () | (✓) | () |
| D. Creates Unsafe Conditions on Public Roadways | () | () | (✓) | () |
| *E. Areawide Traffic Circulation | () | (✓) | () | () |
| F. Internal Traffic Circulation | () | () | (✓) | () |
| G. Other: _____ | () | () | () | () |

* Mitigation: A ____ B ✓ [see Co. Code Title 13.01.010-.060; Templeton Circulation Fee]
 C ____ D ____

- () See attached exhibit(s): () Developer's Statement; () Agency Response _____
 () Traffic Study
 () See Special Environmental Considerations
 () See Document in file _____

VII. PUBLIC SERVICES

- | | | | | |
|-----------------------------|-----|-----|-----|-----|
| A. Fire Protection Services | () | () | (✓) | () |
| B. Police/Sheriff Services | () | () | (✓) | () |
| C. Schools | () | () | (✓) | () |
| *D. Community Wastewater | () | (✓) | () | () |
| *E. Community Water Supply | () | (✓) | () | () |
| F. Solid Waste Disposal | () | () | (✓) | () |
| G. On-site Wastewater | () | () | () | (✓) |
| H. On-site Water | () | () | () | (✓) |
| I. Other: _____ | () | () | () | () |

Mitigation: A ____ B ____ (School Fee, Countywide Fee) C ____ D ✓

- * (✓) See attached exhibit(s): (✓) Developer's Statement; (✓) Agency Response TCSD
 () Hydrology Report
 (✓) See Special Environmental Considerations
 () See Document in file _____

VIII. AESTHETIC/CULTURAL RESOURCES

- | | | | | |
|--------------------------------------|-----|-----|-----|-----|
| A. Visual Impact from Public Roadway | () | () | (✓) | () |
| B. Increased Light or Glare | () | () | (✓) | () |
| C. Alters Important Scenic Vista | () | () | (✓) | () |
| D. Archaeological Resources | () | () | (✓) | () |
| E. Historic Resources | () | () | (✓) | () |
| F. Other: _____ | () | () | () | () |

Mitigation: A ____ B ____ C ____ D ____

- () See attached exhibit(s): () Developer's Statement; () Agency Response _____
 () Visual Analysis; () Revised Plans; () Landscape Plan; () Designated Building Sites
 () See Special Environmental Considerations
 () See Document in file _____

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1=Potentially Significant Impact
 2=Impact Can & Will be Mitigated
 3=Insignificant Impact
 4=Not Applicable

IX. HOUSING AND ENERGY

- | | 1 | 2 | 3 | 4 |
|---|-----|-----|-----|-----|
| A. Creates Substantial Demand for Housing | () | () | (✓) | () |
| B. Uses Substantial Amount of Fuel or Energy | () | () | (✓) | () |
| C. Encourages Growth Beyond Resource Capacities | () | () | (✓) | () |
| D. Other: _____ | () | () | () | () |

Mitigation: A ____ B ____ C ____ D ____

- () See attached exhibit(s): () Developer's Statement; () Agency Response _____
 () See Special Environmental Considerations
 () See Document in file _____

X. AGRICULTURAL/MINERAL RESOURCES

- | | | | | |
|--|-----|-----|-----|-----|
| A. Eliminates Valuable Mineral Resources | () | () | (✓) | () |
| B. Prime Agricultural Soils | () | () | () | (✓) |
| C. Conflicts with Existing Agricultural Area | () | () | () | (✓) |
| D. Change from Agriculture to Other Uses | () | () | () | (✓) |
| E. Other: _____ | () | () | () | () |

Mitigation: A ____ B ____ C ____ D ____

- () See attached exhibit(s): () Developer's Statement; () Agency Response _____
 () See Special Environmental Considerations
 () See Document in file _____

XI. GROWTH INDUCING/CUMULATIVE EFFECTS

- | | | | | |
|--|-----|-----|-----|-----|
| A. Growth Inducing Effects | () | () | (✓) | () |
| B. Precedent for Change in Area Land Use | () | () | (✓) | () |
| C. Cumulative Effects: _____ | () | () | () | () |
| _____ | () | () | () | () |
| _____ | () | () | () | () |
| _____ | () | () | () | () |
| _____ | () | () | () | () |
| _____ | () | () | () | () |
| _____ | () | () | () | () |
| D. Other: _____ | () | () | () | () |

Mitigation: A ____ B ____ (School Fee, Countywide Fee) C ____ D ____

- () See attached exhibit(s): () Developer's Statement; () Agency Response _____
 () See Special Environmental Considerations
 () See Document in file _____

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August 30, 1996

**SPECIAL ENVIRONMENTAL CONSIDERATIONS FOR
BILLIG DEVELOPMENT PLAN**

**ED96-166 (D950134D)
D010021D**

PROJECT DESCRIPTION

The applicant is requesting permission to develop a 110,551 square foot, 192 bed medical facility on a vacant 4.90 acre parcel. The facility would provide four levels of patient care: assisted living; skilled nursing; Alzheimers care; and Sub-acute care.

The property is located one half mile west of Highway 101 on the south side of Las Tables Road, directly across from Twin Cities Hospital, in Templeton. Surrounding land uses include the Twin Cities Hospital to the north, office buildings to the east and west, and a vacant 3.81 acre parcel to the south. Beyond the vacant parcel on the south are several single family residences.

Vegetation on the property is primarily grassland along with several scattered mature oak trees. A prominent riparian corridor is located along the property's southerly boundary. Within this corridor are numerous willows and several small oak and cottonwood trees. The parcel topography slopes gently from Las Tables Road towards the riparian corridor, with maximum grades of approximately 8 percent.

ENVIRONMENTAL ISSUES OF CONCERN

In the course of the initial study, the following issues were identified as having potentially significant environmental impacts: Biological Resources, Water and Sewer Service, Aesthetics / Visual Impacts, and Air Quality. However these impacts can be mitigated to a level of insignificance by conditions agreed to in the attached Developer's Statement. Specific mitigation measures have been developed and the applicant has agreed to incorporate each of the measures into the proposed project.

BIOLOGICAL RESOURCES

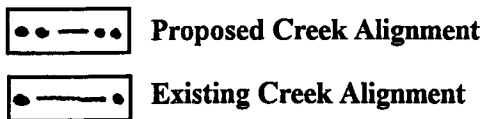
Significant biological resources on the property are the riparian vegetation and the oak trees.

Riparian Vegetation

The seasonal creek running east-west along the southerly property boundary was surveyed by biologist Lisa J. Furlong, on September 17, 1994. Ms. Furlong's biological report, completed on October 3, 1994, concluded that the channel meets the definition of "stream habitats as defined by the California Department of Fish and Game, most notably in respects to apparent intermittent flow and the presumed presence of subsurface flow evidenced by the presence of riparian vegetation." Based on this conclusion, Ms. Furlong recommended that a "buffer zone of 10-30 meters either side of the drainage swale be preserved to maintain the integrity of the riparian zone during and following development of this site."

The applicant's development plan proposes to relocate most the riparian channel to accommodate the proposed buildings and parking areas. Figure 1 shows both the existing and the proposed creek alignments. Relocating

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BILLIG DEVELOPMENT PLAN
ED96-166 (~~D950134D~~)
D010021D

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the channel would decrease its length by approximately 90 feet, from its present length of 480 feet to approximately 390 feet. Jim Lidberg, from the California Department of Fish and Game (CDFG), visited the project site on June 16, 1996 to review the proposed creek relocation plan. Mr. Lidberg concluded that the proposed channel relocation will not have a significant impact if the mitigation measures included in the Developer's Statement are implemented.

Because most of the existing channel has been degraded by agricultural practices over the past decades, much of the riparian vegetation has already been removed. The applicant has agreed to reestablish the riparian corridor to a average width of approximately 100 feet for the entire 390 foot length of the relocated channel. This will provide for a buffer zone of approximately 15 meters on both sides of creek. The purpose of this corridor is to maintain the integrity of the creek and reestablish protect wildlife habitat.

In addition to restoring the relocated channel, the applicant has also agreed to revegetate and enhance an area equal in size to the original riparian area, thus achieving an overall 2:1 revegetation ratio. This can be accomplished by restoring the riparian channel located on the adjacent parcel to the south, which is also owned by the applicant.

Furthermore, the applicant has agreed to the following mitigation measures to restore the creek corridor:

- A biologist shall prepare a landscaping/creek restoration plan for the creek corridor, with the goal of enhancing the corridor's biological values. The plan will require landscaping with native riparian vegetation.
- An Environmental Monitor, retained by the applicant, shall oversee all creek relocation and restoration work.
- The existing willow riparian area will be delineated and protected.
- The creek corridor plantings shall be irrigated until well established.
- The existing creek substrate, to a depth of 10 cm, shall be removed and stockpiled prior to the new creek channel construction. The stockpiled channel substrate shall be mixed with gravel and cobbles to line the new creek channel.

Stream Flow Change

The USGS Topographical Map for the area identifies the subject channel as a blue line stream. Therefore, any proposal to alter the stream must be reviewed by the California Department of Fish and Game and may be subject to approval of the Army Corps of Engineers. Mitigation Measure 8 requires the applicant to submit to the County a copy of the necessary approval from the CDFG, as well as a copy of the "Pre-discharge Notification" letter submitted to the Army Corps of Engineers or a valid permit from the Army Corps of Engineers.

Oak Trees

Presently, there are several mature oak trees on the property. Recognizing the biological importance of these trees, the applicant has agreed that none of the oaks (with diameters greater than 6") will be removed during grading or construction.

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WATER AND SEWER SERVICE RESOURCES

Water and wastewater service to the site will be provided by the Templeton Community Services District. The applicant is working with the District's retro-fit program to obtain sufficient water and sewer credits for future development of the proposed project. Prior to issuance of building permits, the applicant has agreed to submit proof to the County that the necessary water and sewer credits have been obtained from the Templeton Community Services District.

AESTHETICS / VISUAL IMPACTS

The proposed project is located approximately 200 yards north of several single family residences. To assure the project will have minimal aesthetic and visual impacts on the existing residences, the applicant has agreed to the following mitigation measures:

- Building materials - especially in the roof - shall be nonreflective to reduce glare.
- The use of mirrored or reflective glass shall be prohibited.
- Prior to issuance of building permits, the applicant shall submit an exterior lighting plan which incorporates ways to minimize the amount of light migrating offsite. The goal of the lighting plan is to assure that adjacent properties are not impacted by exterior night-lighting from the project site.

AIR QUALITY

The proposed project requires the importation of approximately 32,000 cubic yards of soil to create a level building site. Approximately 135 truck loads per day, for 16 days, will be necessary to import 32,000 cubic yards of soil. The County Air Pollution Control District (APCD) reviewed the potential air quality impacts associated with importing 32,000 cubic yards of soil. They concluded that county thresholds of significance for Reactive Organic Gases (ROG) and oxides of nitrogen (NOx) would not be exceeded. However, the APCD recognized the possibility that the project could create a temporary dust nuisance in the project vicinity and along haul route corridors. Mitigation Measure #14, agreed to by the applicant, includes several APCD recommendations to minimize potential dust impacts during the grading work.

Based on the above discussion, the potential on-site, off-site, and cumulative impacts associated with the proposed parcel map are not considered significant. Therefore, a Negative Declaration is appropriate under the California Environmental Quality Act.

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DATE: August 12, 1996

DEVELOPER'S STATEMENT FOR BILLIG DEVELOPMENT PLAN**ED96-166 (B950134D)**

D010021D

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

Riparian Vegetation

1. **Prior to issuance of building permits**, the applicant shall retain a qualified biologist to locate the western extent of the willow riparian. The section of creek to the east of this location (including the entire willow riparian) shall be surveyed by a licensed surveyor in consultation with the biologist. The surveyed section of the creek shall be identified on the final site plan map, **at the time of application for building permits.**

Monitoring: Compliance shall be verified by the Department of Planning and Building.

2. **Prior to issuance of building permits**, the applicant shall submit a site plan that includes a creek corridor that averages approximately 100 feet wide. The purpose of the corridor is to maintain the integrity of the creek. Some portions of the corridor may be slightly narrower than 100 feet if it does not degrade wildlife values and other portions of the corridor are proportionally wider than 100 feet. Except for landscaping with native vegetation, no development shall be allowed within this corridor. Minor exceptions to this limitation may be allowed as approved by the Environmental Coordinator and may include passive use improvements such as picnic tables or benches.

Monitoring: Compliance shall be verified by the Department of Planning and Building.

3. **Prior to issuance of building permits**, the applicant shall submit a restoration/revegetation plan, prepared by a biologist with experience in restoration biology, for review and approval by the Environmental Coordinator. The goal of the restoration plan is to enhance the biological values of the creek corridor. The restoration/revegetation plan shall provide for the following:

- a. identification of all proposed creek alterations, including vegetation removal.
- b. revegetation of all cut and fill slopes, and graded areas. Native species that occur on the site shall be used.
- c. revegetation of all disturbed portions of the stream so as to restore them to as near as their original condition as possible. **In addition, an area equal to the riparian disturbed by the applicant shall be revegetated and enhanced.** Revegetation efforts shall be limited to the use of native plant species of the Toad Creek drainage.
- d. type and amount of plant materials.
- e. schedule for planting activities
- f. performance criteria

Monitoring: Compliance shall be verified by the Department of Planning and Building in consultation with the Environmental Coordinator's Office.

4. **Prior to issuance of construction permits**, the applicants shall retain an individual, approved by the Environmental Coordinator, to act as Environmental Monitor during all creek relocation and restoration work. The monitor shall be involved in all future work on the site associated with implementation of creek relocation and restoration mitigation plans.

Monitoring: Compliance shall be verified by the Department of Planning and Building in consultation with the Environmental Coordinator's Office.

5. **Prior to issuance of construction permits**, the Environmental Monitor shall prepare a specific mitigation monitoring plan to be reviewed and approved by the Environmental Coordinator that includes:

- a. duties and responsibilities of the monitor
- b. estimated timing of proposed activities
- c. personnel involved in specific monitoring
- d. dispute resolution procedures
- e. methods used to monitor activities
- f. criteria for evaluation
- g. timing of reports to be submitted to the Department of Planning and Building, Environmental Division

Monitoring: Compliance shall be verified by the Department of Planning and Building in consultation with the Environmental Coordinator's Office.

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6. During implementation the creek restoration/revegetation plan, the applicant agrees to the following conditions:
- a. the existing willow riparian area shall not be altered.
 - b. relocation of any part of the creek shall be timed to occur following the cessation of surface water flow in the creek.
 - c. within any section creek channel to be relocated, the creek channel substrate to a depth of 10 cm shall be removed and stockpiled prior to the new creek channel construction. The stockpiled channel substrate shall be mixed with gravel and cobbles to line the new creek channel.
 - d. plantings shall be coordinated to avoid soil erosion hazard and provide optimal survivability for the vegetation.

Monitoring: Compliance shall be verified by the Department of Planning and Building in consultation with the Environmental Coordinator's Office.

7. **Prior to issuance of construction permits**, the applicant shall indicate on the construction drawings:
- a. the type and location of construction fencing, to be reviewed and approved by the environmental coordinator, that will adequately prohibit access and construction activity in areas of sensitive biological resources.
 - b. the type and location of all sedimentation and erosion control measures as well as pollutant (e.g. petroleum products, chemicals) control measures.
 - c. surveyed and staked location of corridor.

Monitoring: Compliance shall be verified by the Department of Planning and Building and County Engineering.

8. **Prior to issuance of construction permits**, the applicant shall submit a copy of the necessary approval from California Department of Fish and Game (CDFG), as well as a copy of the "Pre-discharge Notification" letter submitted to the Army Corps of Engineers or a valid permit from the Army Corps of Engineers.

Monitoring: Compliance shall be verified by the Department of Planning and Building.

9. **Prior to final inspection of construction permits**, the applicant shall Offer to Dedicate a perpetual conservation easement or open space easement or provide another legal mechanism that achieves the goal of protecting the creek corridor, by legally restricting activities, uses and development of these areas. The Offer to Dedicate shall be to the County of San Luis Obispo, or to a non-profit group or organization approved by the County and shall be in the form approved by the County Counsel and the Department of Planning and Building.

Monitoring: Compliance shall be verified by the Department of Planning and Building. The applicant shall submit a copy of the Offer to Dedicate to the Department of Planning and Building.

10. Creek corridor plantings shall be irrigated until well established. However, if inadequate water is present to allow for the persistence of the plantings past the time of establishment, then irrigation shall be continued indefinitely.

Monitoring: Compliance shall be verified by the Department of Planning and Building in consultation with the Environmental Coordinator's Office.

Water and Sewer Service

11. **Prior to issuance of building permits**, the applicant shall submit proof of the necessary water and sewer connections from the Templeton Community Services District.

Monitoring: Compliance will be verified by the applicant submitting a letter to the Department of Planning and Building, from Templeton Community Services District, stating that all required water and sewer units have been obtained.

Aesthetics / Visual Impacts

12. The use of building materials - especially in the roof - shall be nonreflective to reduce glare. The use of mirrored or reflective glass shall be prohibited.
13. **Prior to issuance of building permits**, the applicant shall submit an exterior lighting plan which incorporates ways to minimize the amount of light migrating offsite. The goal of the lighting plan is to assure that adjacent properties are not impacted by exterior night-lighting from the project site.

Monitoring: Compliance with conditions 12 and 13 shall be verified by the Department of Planning and Building.

Air Quality

14. **Prior to issuance of building permits**, the applicant shall place the following mitigation measures on the construction plans:
- a. Haul trucks should be filled so as to maintain 1-1.5' of freeboard above the top of the load so that excessive agitation of the load by highway speed winds does not occur. Alternatively, the fill material to be hauled could be covered or well watered prior to transport.
 - b. The work site should be watered at least daily, or more frequently if needed to limit offsite dust.
 - c. Vehicle speeds at the work site should be limited to no more than 15 mph.
 - d. Access routes to the site from public roads should be swept at the close of each work day to limit offsite transport of dirt onto public highways. In addition, vehicles such as the haul trucks transporting the fill material should not be allowed to leave the site in a condition that would cause offsite transport of dirt. Excessively dirty vehicles should be sprayed with water or brushed if needed prior to entering public roadways.
 - e. Graded surfaces should be paved or landscaped as soon as possible
 - f. Dust nuisance complaints generated by affected individuals should be forwarded to the District's enforcement at 781-5912.
 - g. The applicant shall designate an individual who will be on-site during soil importation and grading activities and who is responsible for monitoring dust control measures.
15. The applicant shall install bicycle parking facilities for employees at a minimum ratio of one bike parking space for every ten automobiles.

Monitoring: Compliance with conditions 14 and 15 shall be verified by the Department of Planning and Building, Air Pollution Control District, and the designated on-site monitor.

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Oak Trees

16. No oak trees, with diameters greater than 6", shall be removed.

Monitoring: Compliance shall be verified by the Department of Planning and Building.

17. Oak trees provide an essential component of wildlife habitat and visual benefits. The applicant recognizes this and agrees to minimize the impact to oaks during the design and construction of the potential building sites. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species. Smaller trees (6 inches diameter and smaller) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

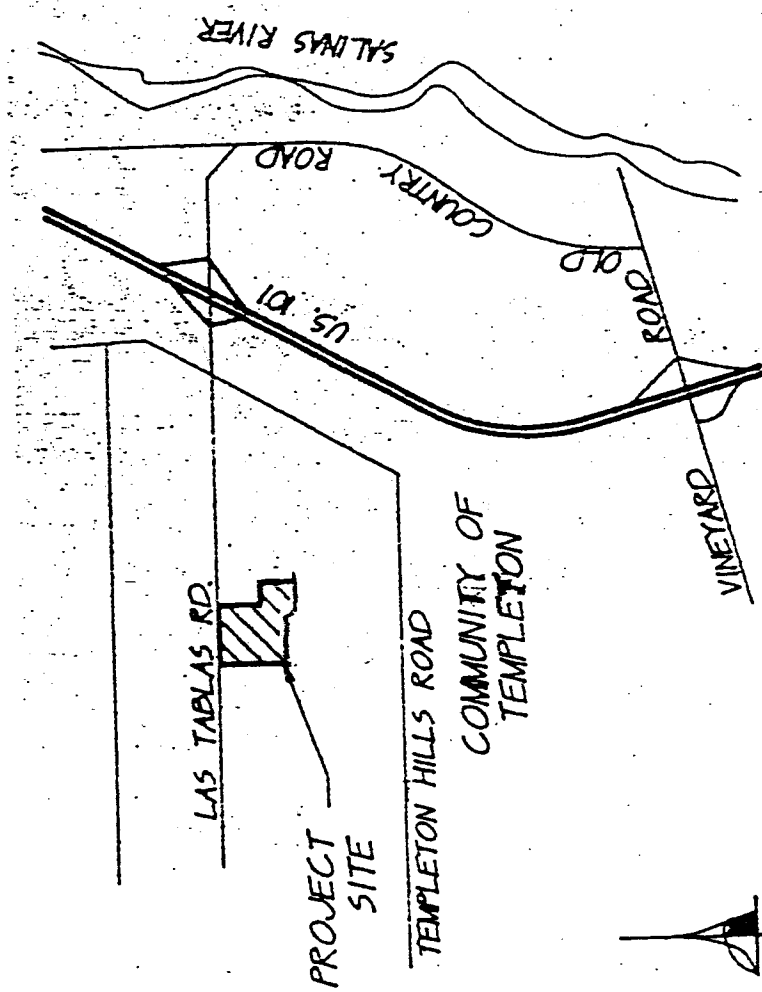
Monitoring: As part of the Development Plan review, the applicant shall identify the location of all native trees and minimize potential impacts to the trees.
Compliance shall be verified by the Department of Planning and Building.

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

Glenn K. [Signature]
Signature of Owner(s)

8-27-96
Date

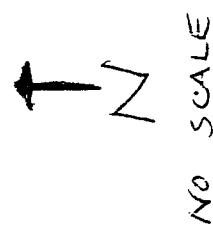
HARVEY E. BILLIG [Signature]
Name (Print)



VICINITY MAP

4-71

8-47



VICINITY MAP

LAS TABLAS ROAD

